

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, August 18, 1987 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor  
John Lombardi, Councilman  
Victor Prusinowski, Councilman  
Louis Boschetti, Councilman  
Robert Pike, Councilman

Also Present: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilman Boschetti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meeting held on July 21, 1987 are dispensed without objection and be approved.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of the Departments of Town Government are present this evening should anyone have any question of them. Reports Mrs. Pendzick."

#### REPORTS

Conservation Advisory Council-Minutes of Meeting held on July 30, 1987.

Filed

Building Department-For month of July 1987.

Filed

Environmental Quality Review Board-Application of Rockhall Builders, Inc. is an unlisted action.

Filed

OPEN BID REPORT - BUCKET LOADER - SANITATION DEPARTMENT

Filed

Bid Date: August 13, 1987

1 Bid Submitted

#1 NAME: H.O. PENN MACHINERY CO.

ADDRESS: 660 Union Avenue, Holtsville

TOTAL BID: \$275,354.00

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Open Bid Report-Water District Extension #26. (See Water District Minutes).

Filed

Supervisor Janoski, "Thank you. Applications."

#### APPLICATIONS

Site Plan-Richard Homan (addition to ice cream store, Route 25 Aquebogue).

Filed

Special Permit-Peconic Bay Motors (replace signs at Route 25 and Osborn Avenue).

Filed

Special Permit-Vincent Belviso (expand existing car wash, Route 58).

Filed

Supervisor Janoski, "Correspondence."

#### CORRESPONDENCE

Joseph and Lucy Owen, 8/10/87-Requesting an exemption for moratorium to subdivide property in Manorville for a two-acre lot for their son.

Filed

Jane Kreiger, 7/29/87-Requesting that Oakwood Drive, Manorville be improved.

Filed

Supervisor Janoski, "The time for the first scheduled public hearing has not yet arrived. There is a long list of Unfinished Business, some of which will be addressed tonight. If there are any questions regarding anything on that list, please ask. I will, at this time, recognize anyone wishing to be heard on any subject."

TAPE RECORDER FAILED TO FUNCTION FOR BEGINNING FIVE MINUTES OF THE MEETING. THEREFORE, FIRST THREE SPEAKERS' REMARKS ARE NOT VERBATIM.

Joseph Sykora, Riverhead, Thanks Supervisor and Councilmen for meeting with group and raceway people and the time allotted to them for meeting.

Steve Haizlip, Calverton, I understand that I can talk about any subject at Board meetings. The last couple of weeks, while Hochbruckner was working on Markie resolution, Representative Lent implied that L.I. people don't have sense to take care of their garbage. President Reagan in California said he doesn't know how to go about pardoning North. Suggest he contact Ford on how to pardon someone. In New Jersey, Willie Mae Jones, they turned her power off and were never indicted.

Dick Benedict, Fanning Boulevard, Wrote Town Board last year about hunting east of Edwards Avenue; should see if it's feasible to ban small game hunting east of Edwards Avenue for safety. Police spend a lot of taxpayers dollars to chase people who don't live there off the land.

PERSONAL APPEARANCES Continued

William Kasperovich, Wading River, "I came into this township when we had two Councilmen and two Justices on the podium with the Supervisor. And when they switched over to four Councilmen, I got informed and educated about what these people in this township want and I'm not seeing it go that way. There is a strong feeling that five men, out of five men, there would be enough talent to handle things. And if a man had particular talent, he could fit in on one of the seats and in other towns on other seats. But it seems that some political cloud has covered over all that. What you need is a pretty smile and a nice hairdo to get a vote. Now, Mr. Prusinski is quite sensitive about my being critical of the Town Board. But d--- it to h---, I don't see anybody else covering the same subjects I do. It's one thing not to know what to do. It's another thing not to know where to get the information to cover yourself so you have enough to function. You don't have to be an expert at it. But if you don't know enough to who should qualify or what qualifications are required, then you're lacking. As an example, I see you list the architectural landscaper and the town planner. Well, I happen to know what courses and what sessions a man goes through to graduate with a degree in architectural landscaping and what you have to know to get a license. And d--- it to h---, we don't need such a man in Riverhead. We got no fancy strings of trees and bushes. We have enough trouble maintaining what we have with just simply sturdy greenery. Now, in order that you people can not pull an Iranian arms deal on the people in Riverhead, I'm here to say that your invitation to bid on a hamlet study lacks a great deal and has the ear marks of an Iranian deal. And so that you can not say afterwards that you were not advised to take a hard look on what is being done and what was in print, I am here putting it on record. This is due on the 31st of this month. The 30th is a Sunday and the 31st is a Monday. This will be due before the next meeting. Consequently, it leaves me no choice but to speak at this particular time. And I specifically spell out anything after that date, will be disregarded. It will not be acceptable. Now, the last three meetings, the manner in which you gentlemen went over the resolutions. To me, it is not acceptable. There was one meeting where it was actually shameful. It's bad enough you can't get to the resolutions before you act on them. I happen to have the resolutions here because I'm holding some pressman's copy. But the residents and taxpayers and citizens of this township, does not get clued in on what you're going to do. Yes, you conduct public hearings but they don't know exactly what you are going to do. We had a discussion on the raceway. We had a lot of people here of interest. You said you didn't have it set in concrete. Ok. Now, you're going to act on it and nobody knows what you're going to act on because it just came off the mimeograph machine. Now this is not to me, open government. When we do not have open government, we do not have honesty because the other side creeps in very quickly. And with that, I think my five minutes have expired. And what ever good I may do in this township, I'm certainly not going to keep quiet about it. Thank you."

Supervisor Janoski, "Thank you Bill. Well, let the record show that the hour of 7:48 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, August 18, 1987 at 7:45 p.m. to hear all interested persons regarding: The Repeal of Chapter 108-110 of Town Code entitled "Business-CR".

Richard Ehlers, Town Attorney, "Good evening. There are two companion hearings, this one and the next one, which deal with the Country Rural Zoning District within the Town of Riverhead. For clarity of the readers, it was divided between total repeal of the existing language and all new language so that we didn't have the confusion of running deletions. Although, many of the earlier concepts and language do appear in the new revision. The new revision, if people will recall, has partially been accomplished by the 17% rule which was the subject of a previous Town Board resolution. The primary purpose of this amendment is to discuss outdoor display and require that it be shown on the site plan. It does not prohibit outdoor display. But when an applicant seeks outdoor display, they show it on the site plan. And if that's approved by the Board, that's the area for outdoor display. Drive-up windows are more specifically discussed as an accessory use. That is compatible with the other zoning use districts. Minimum lot size is brought from twenty thousand up to forty thousand square feet; and front yard, from one hundred to two hundred. The pre-existing use rule of an undersized lot would still apply. So if you own a lot which is not 200 feet or less than forty thousand square feet, it does not mean that you can not use it. It means that if you own a larger piece, you can not divide it into lots smaller than one acre. Side yards on corner lots were a problem and the code amendment suggested that they both be treated as front yards. So each side of the corner, for setback purposes, would be considered a front yard. Again, we discussed earlier at the public hearing on the 17% rule, the question of dividing buildings equally when they get over the maximum size of four thousand square feet. The footage is afforded equally on the buildings. The existing structures are addressed. If there is an existing building which does not comply with the current "CR" requirements, the Town Board may modify any of the requirements to fit the code and the principles of the code for that particular structure. So it gives the Board latitude if there is an existing single-family house that somebody wants to turn into a business use."

Supervisor Janoski, "Thank you. Is there anyone who wishes to address the Board on the proposal? Bill Kasperovich."

William Kasperovich, "I'd first like to ask if this includes on the display, the temporary or (you run into it after) construction display? In other words, displays that are an interim period thing when a business is being established or Joe's office will be open here next year or this building will be professional."

Supervisor Janoski, "The sign, all signs are addressed in a new sign ordinance which is being developed. Except for in "CR", specifically prohibits internally lit signs. All signs must be, if they're to be lit at all, have external lighting and it promotes a more neighborhood business community approach to the signage. Now,

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

display, what we mean is the idea of having an item and merchandise on display outside of the confines of the building structure."

William Kasperovich, "In Rocky Point, the Waldbaums Shopping Center, they have been battling this now for about five years. There is the matter of distance and the matter of signs on wheels."

Supervisor Janoski, "We don't allow signs on wheels at all in the Town of Riverhead and I think that's an example of the success of what we've done here as far as signage as opposed gone wild in other towns. I was by there just the other night and there must be six of those mobile signs out front there. We don't allow that."

William Kasperovich, "We do occasionally have that show up."

Supervisor Janoski, "We do and the proper notice of violation is issued and we tend to be very successful."

William Kasperovich, "Ok. Now having said that, I don't know if it's particularly applicable to this. But in the years passed, and for the document, you had to show the adjacent structure, not necessarily the entire structure, but where the wall is or where the corner is. You've got to build in so many feet passed your property line. You had to show the wall of that building facing your property so that there would be some indication. Now, we had many years, and I'm going back twenty, there was some difficulty in the surveyor going out onto another man's property to measure that building and sometimes let it drop because of the legal costs to get involved. So that practice has sort of faded away. It's done occasionally with words but the drums, documents, drawings, maps; I've seen that they just don't spend the money to do it. Whether this was an appropriate time to consider that sort of thing, was there because some pre-existing things are quite a difficult problem. There were allowances made in the last thirty years that I'm aware of that are just catching up to us now."

Supervisor Janoski, "There are a number of things that we are doing in addition to this "CR" revision. We will be, in the very near future, having a public hearing on a site plan review procedure which will incorporate a requirement for existing conditions map to be submitted. So in fact, that the people in the Planning Department can review what exists on a particular site. And of course, each zoning code, has a requirement for setbacks from a property line; front, rear and side yard. So those issues are being addressed."

William Kasperovich, "Alright. Fine."

Supervisor Janoski, "Thank you Bill. Is there anyone else who wishes to address the Board on the rescinding of the "CR" zone? Yes sir. Before you begin, let me just say that the hour of 7:55 p.m. has arrived and the Town Clerk will please read the notice of public hearing. This is on the adoption of the new "CR" code. So we might let them.... It was adjourned because of an error in the paper. So we will just open up that hearing and the two hearings;

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

on the rescinding of the old one and the application of the new one, will run concurrently. They're basically the same subject matter."

PUBLIC HEARING - 7:55 p.m.

Adjourned from August 4, 1987 and will continue on Tuesday, August 18, 1987 at 7:55 p.m. to hear all interested persons regarding: Proposed Revisions to the Business CR Zoning Use District Code.

Warren Adel, Baldwin, "I'm a builder and a developer. I own a piece of property in Wading River under the "CR" zone and I have several questions and concerns. The "CR" zone has been put in place recently and already there's been a moratorium on it and increased restrictions (I believe) several times. Every time new restrictions are placed on, there also tend to be costly restrictions to a builder and a developer. And my question is; how often can we expect these new revisions."

Supervisor Janoski, "Well, I would hope that this would be the final on "CR". Of course, government is a process of adjusting to new situations so that perhaps in the future there might be some further refinement. We did have a moratorium in that area when we studied the area to implement the "CR" and there is currently a moratorium as we go through a process of a complete hamlet study. Not only the business zone but all the other zones; the residential zones that exist out there. We are accepting not bids, but proposals on the providing of the study for the town. And at the end of that study, we will be considering the proposal, the recommendation and an action on some of them. But "CR" zone is going to exist and continue to exist. It exists in Jamesport and Aquebogue. It exists in Calverton and also in Wading River."

Warren Adel, "A couple of the new proposals, I just want to mention which I sort of oppose to. One of them is permanent screen plantings which shall contain and be maintained at eight feet in height. This is a minor thing and it's hardly restrictive and very costly on a parcel of business property to maintain something like this at the eight foot height. Also irrigation, these are the many things that are not even required for new residential construction and I just wanted to bring that to your attention."

Supervisor Janoski, "I don't understand your objections to the eight-foot height provision."

Warren Adel, "Well, something that would be maintained would be like a hedge. Like a hedge in a business...."

Supervisor Janoski, "Not necessarily a hedge. It could be a planting of trees."

PUBLIC HEARING Continued

Warren Adel, "But it says maintained at that height."

Supervisor Janoski, "Trees usually get bigger."

Richard Ehlers, "Your worry is that it's a minimum or a maximum."

Warren Adel, "Well if I'm not mistaken, your proposal reads that they shall obtain and be maintained at an eight-foot height. I'll double check that but I believe that's what I read in there. These are just a couple of points and a couple of examples where these restrictions, they never seem to be money saving. They always seem to be costly."

Supervisor Janoski, "I can't disagree with that observation. That to do a project well, usually cost a couple more dollars."

Warren Adel, "We all know that the economic climate on Long Island is very good right now and so people may be willing to spend a little bit more money for development and beautification. But if we do get a downturn,... I can remember several years back where the Building Department and the Planning Department didn't have the workload they have today. And in the future, they may be looking for builders and developers to get the economy going again. So I just ask you to take this into consideration because this effects the economic health of the whole town not just in the present day but in the future."

Supervisor Janoski, "Well, do you visit Wading River often?"

Warren Adel, "Every couple of weeks."

Supervisor Janoski, "Well then you do know that two properties that have indeed installed additional landscaping or some very mature trees which are probably more than ten foot and really, that is what we're after is that kind of development in the community. Businesses going to develop, who is going to exist but we feel that there is an obligation to the entire community to try to provide and demand these standards. But your point is well taken."

Warren Adel, "I understand that. I'm in favor of that too, anything that's more pleasing to the eye. Although, my main concern is that the zoning classification has only been in existence a short time and already there's been restriction upon restriction. You know, when is it going to end?"

Supervisor Janoski, "Basically, as I explained, it is a rather new concept. It is a new concept for the Town of Riverhead, this idea of campus-style development even though it is commercial. And the first version was a good attempt and it did allow us to accomplish some of our goals. Now we see it short coming and what needed to be adjusted to make it work as we had desired. And really, some of the provisions are going to help the developer in that you won't be doing cookie-cutter buildings. They are going to be able to make different size buildings rather than four of exactly the same size. But we saw the short comings and that's why it's being revised."

PUBLIC HEARING Continued

Warren Adel, "I'd also like to mention a few points which is good planning. Number one; to increase the parking. I'm in favor of that and also increasing the frontage I think was probably a good idea. Ok. Thank you."

Supervisor Janoski, "Thank you sir. Way in the back there."

Michael Agusten, Lake Grove, "Ed resides at Barnsley Crescent in Mt. Sinai."

Edward Licalzi, Mt. Sinai, "We're here this evening just to address the Board on one issue we think might be a problem for our particular project. That being; certain setback requirements we just learned about; a 12½ foot setback increased to 15 feet. We'd like to know if that actually will be something the town will be spending some time on or if that has already been worked out."

Supervisor Janoski, "The Town Board now is having a public hearing to listen to your comments concerning a proposal such as the 15 foot sideyard setback from 12½ feet. And for you to make a case as to why you think it should be 12½. Now, as I mentioned to the previous speaker before, that what we found was that; for example, 25% lot coverage with all the requirements that we had, it just didn't fit on a lot. So that perhaps what you are going to tell us is along that line."

Edward Licalzi, "My experience goes back to the last five years designing landscape and construction for Licalzi Associates, Agusten and Coca Construction. In the past in my experience working with buffer planting in relation to a sideyard, I haven't found by increasing a 12½ or whatever size, by increasing it two feet, it would make really any substantial difference. Increasing the density or the type of foliage, switching from a desiduous evergreen, really is what makes a buffer screen planting work. If the town is really concerned about that, I think that it should be more concern on specifically a type of landscape material that they're going to recommend us to use. Better than recommending that we add another foot and a half to a sideyard setback. In our particular case, we are here because we do have a hardship on our particular project. We've worked almost every phase of our project out except the recent increase of a foot and a half for a sideyard. I don't feel this...."

Supervisor Janoski, "What is the lot coverage on the project actually proposed as far as...." ~~the construction~~

Edward Licalzi, "Height construction?"

Supervisor Janoski, "Building."

Edward Licalzi, "It's less than 17%."

Supervisor Janoski, "So what you're saying; less than 17% you physically can not meet the sideyard requirement?"



PUBLIC HEARING Continued

Edward Licalzi, "Well, I guess we could meet it in the sense that if we scaled down the parking."

Supervisor Janoski, "You can't do that either."

Edward Licalzi, "Definitely not. We wouldn't want to do that."

Richard Ehlers, "The existing sideyards are 25 feet and the proposed sideyards are 25 feet from the curb to property line. You're talking about no parking permitted within the 15 feet?"

Edward Licalzi, "That's correct."

Richard Ehlers, "So it's 15 feet in the old section too. It's just been clarified. I don't quite understand."

Edward Licalzi, "Well, we've had some representation from Brenda that it was 12½."

Richard Ehlers, "The remedy would be the Zoning Board of Appeals for hardship."

Michael Agusten, "I think what we're here tonight for is to present certain hardships and to present concepts where we would like to develop property in conjunction with the town rather than have to go in to appeals because it hasn't been approved yet. It hasn't been accepted yet. So what we're trying to offer you is some potential good advice, bad advice or whatever it is to help builders work with the town so as to produce what they want to produce and also to be economically feasible so that other builders coming to the town and can work with the current zoning of the town itself."

Councilman Pike, "Since we're on a legislative phase here, that's a great idea. Do you have an example of the hardship that you can present to the Board so we can see it a little more graphically?"

Michael Agusten, "No I don't. Not this evening."

Councilman Pike, "Could you submit the site plan that you think is great but doesn't comply with these regulations?"

Michael Agusten, "Could we? Sure."

Councilman Pike, "Within a week? Within a week is fine."

Supervisor Janoski, "One of the things, since you raised this, and I would not like to get into a revision situation again. I am concerned that if you take an example of (let's say) five different lots of varying sizes and compute the square footage of that lot and then compute the square footage of the same piece of the 17% of building that's allowed and then compute a number for what is required for parking and take into account the frontyard setbacks, rear-yard setbacks, and sideyard setbacks. If it is possible to meet the

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

provisions of the code. Because if it turns out in a number of scenerios that you can't do it, you can't make it fit, then we will have to take a look at that. So your point is well taken this evening. We'd like to see the site plan that you have and we will consider that input which you give us."

Michael Agusten, "Thank you very much."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board? Mrs. Miloski."

Ann Miloski, Calverton, "We happen to be in this new "CR" district. It has been done, right? And when we first started, we were talked into it by the Planning Board and the members of the Town Board. And now already, you're changing zoning "CR" and what concerns me is I don't see any grandfather clause to help existing businesses in this redoing of your resolution. And I wonder what impact this has on our existing business and the plans that we have for the future. Do we always have to come up with a site plan?"

Councilman Pike, "When you have an existing business and we change the zoning on you and make it more restrictive, you retain all of your pre-existing, now non-conforming rights to that parcel. And in fact, there is a provision in the code to expand your business requiring a special permit so that the new regulations do have an out for you and it's built into the state law. It doesn't have to be built into this law."

Ann Miloski, "We have to come before you with a site plan?"

Councilman Pike, "If you were to expand. Like any other business, you'd have to come before us with a site plan."

Ann Miloski, "Unless you're non-conforming and come before you with a site plan, is that going to be approved?"

Councilman Pike, "I can't guarantee you that anything that comes before us will be approved."

Ann Miloski, "You're creating a hardship in this new resolution for us."

Councilman Pike, "What I'm saying is I can't guarantee that anybody's site plan will be approved. Simply because we have a certain amount of discussion to approve them. So I can't guarantee that. The whole idea of "CR" is very well designed developments. To the extent that you have an existing one and it can be improved, we certainly not going to fight that if it is in fact, an improvement and the law in the State of New York does provide for that. So it doesn't have to be built into this code."

PUBLIC HEARING Continued

Ann Miloski, "Well in this code, we're a non-conforming business. So if we came before you for a site plan, I don't even see how you would approve it."

Councilman Pike, "Well, you have the right to keep that business. You also have the right for reasonable expected business expansion in the state. And we're not here to shut or even impede anybody from the natural growth of their business."

Ann Miloski, "And what about in this "CR" on signs? Is there a grandfather clause in this?"

Richard Ehlers, "If they're existing signs to the degree they exist legally, currently, are permitted to continue in their existence. The current code in 108 has another section that deals with pre-existing non-conforming uses and that's what you become and you're permitted to continue that as long as you don't abandon them for more than a year and you're permitted to expand them at the discretion of the Town Board with a special permit. And you have a certain right to expand them."

Ann Miloski, "Ok. Just one more question. How many parcels are involved in this proposed "CR" district excluding already developed parcels and already submitted applications and site plans?"

Supervisor Janoski, "I really couldn't give you an answer to that except to say that..."

Ann Miloski, "Was it 71 this week?"

Councilman Pike, "I could give you a rough guess and this is a rough guess. It's in the range of somewhere between 50 and 150. We've got "CR" zones in your area, Wading River, Aquebogue, and Jamesport. And for example; in Wading River, a good 80% of the "CR" lots are not developed. The "CR" land is not developed. Some of those are quite large lots."

Ann Miloski, "Ok. Thank you."

Sid Bail, Wading River, "President of the Wading River Civic Association. On April 7th, the Wading River Civic Association and other community groups within Wading River requested that the Riverhead Town Board do a hamlet study of Wading River. We were motivated by the belief that the existing zoning including the newly adopted business "CR" district were not adequate to meet increasing pressures for development in Wading River. Since April, the Town Board and the Planning Board have taken significant steps in the direction of intelligent and comprehensive planning. We support actions such as the authorization and funding of Hamlet Studies and the recent creation of a Planning Department. The Town has now to "fine tune" the Business "CR" District and has developed the proposal that is the subject of this hearing. We have some reservations about this proposal. Our main concern is one of timing. Why not wait until the Hamlet Study is completed before revising "CR"? The Town is going to spend a significant sum of money to employ the expertise of

PUBLIC HEARING ContinuedSid Bail, Continued

outside consultants who hopefully will provide new ideas that will be incorporated into "CR". Our association has been assured by the Supervisor and the members of the Town Board, that this proposed revision of "CR" does not preclude further changes that come about as a result of input from the Hamlet Study. We are also under the impression that the Planning Department shares these sentiments. Assuming that this is the case, the Wading River Civic Association can support this revision of "CR". "

Supervisor Janoski, "For example, we do have a number of proposals outside of the Wading River area which the Town Board is going to have to act on after the Planning Board gets finished with it. And the Town Board has taken the position that after a certain date (which I believe was April 4th) or whatever it was, that all new applications for site plan approval or for any particular project must comply with the new provisions of "CR". And I think it is in the best interest of orderly growth that we do have them in place legally. And certainly, while "CR" is to continue to exist in the hamlet areas that are named Jamesport, Aquabogue, Calverton, Wading River and perhaps some other areas after we get finished with the many studies we're doing. If there is a need, certainly that is what government is all about. I said that before. Government adjusts itself to the needs at the present time. So I thank you for your support."

Councilman Pike, "Mr. Supervisor, I'd just like to kind of address the first question that was asked because it's one way or the other. I think it's fair to assume, in response to the gentleman who wouldn't to know whether "CR" would be revised after this, that with comprehensive planning in the Wading River area, the commercial district of which is all "CR" zoning. That we will find more improvement. There will be serious proposals made for additional improvements to "CR". I want to be quite candid about that and will be my hope that the moratorium will continue until such a time the Hamlet Study is released, recommendations that would effect "CR" were reviewed, the zoning improvements and possibly designations are implemented. And what I would encourage you to do, is to, as a landowner in the area who will be directly effected by that planning effort, to focus your efforts on putting input into what will be the future of the Village of Wading River. So that you can at least have an input on the decisions that will effect you. That Hamlet Study is a serious effort. And without you, it will be less comprehensive in nature. So I would encourage you to that task. Not to simply assume that this will be the end of "CR" and you can go from here."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board on the question of "CR" zoning? That being the case and without objection, I declare the hearing closed. Both of them."

7:45 & 7:55 PUBLIC HEARING CLOSED AT 8:17

Supervisor Janoski, "Let the record show that the hour of 8:17 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, August 18, 1987 at 8:05 p.m. to hear all interested persons regarding: Amending Section 103-8B and 103-8D.

Richard Ehlers, "The proposal is to raise the maximum fine for illegally dumping within the Town of Riverhead from \$100 to \$1,000."

Supervisor Janoski, "Thank you. Is there anyone present who wishes to address the Board on this proposal? I assume that everyone thinks that is a great idea. Would somebody like to stand up and tell us it's a good idea?"

Edward Powers, Aquebogue, "I think it is a great idea. The only other thing else I have to say is that you have very very strict enforcement of it. That is more important than having the law on the books and enforcing the law as it is."

Supervisor Janoski, "Thank you Ed."

Councilman Lombardi, "We are working on that right now."

Supervisor Janoski, "Is there anyone else who wishes to be heard? Steve."

Steve Haizlip, Calverton, "Speaking about having garbage strewn up in the road and people decide to dump it here and go on roadways and dump it and so forth. What I would like to find out, is probably you're aware and if you aren't, I'll bring it up to you now. In the dump ground itself, the compound of the fence,"

Supervisor Janoski, "Steve, I don't know if this is the proper time. This is a public hearing on a proposal to raise the fine on illegal dumping to one thousand dollars. Do you think that is a good idea?"

Steve Haizlip, "I was trying to get to it."

Supervisor Janoski, "I just thought you were going on. Later on you can talk about what you want." Is there anyone else who wishes to be heard on this proposal."

Steve Haizlip

Councilman Pike, "The bottom line is this, I would encourage us to consider as to whether or not a minimum fine ought to be imposed so that the plea bargaining process which is so rampant in the courts, can find itself resting on a minimum. And secondly, that if we can legally, and I would appreciate an opinion of counsel, require restitution or restoration in the event of any dumping being found. And if that is an appropriate legal remedy, I would suggest it be added to the law."

PUBLIC HEARING Continued

Richard Ehlers, "The court can always, as an conditional discharge, in addition to the fine, impose restitution as well as a condition that they clean up the property. This amendment extends from an actual case where we had an extreme dumping situation and the maximum fine that the court could levy was the one hundred dollars and everyone felt that was inappropriate given the case and it was suggested that the latitude up to one thousand dollars would give more flexibility."

Councilman Pike, "You said it could be done in the case of a conditional discharge. Can it be done in the case of the conviction of the crime."

Richard Ehlers, "The sentence would be a conditional discharge. Pay the fine and the condition that within so many days, you clean up the property. Another section in the code, I believe, talks about cleaning up the property."

Councilman Pike, "Very good."

Richard Ehlers, "We were successful in getting that piece of property cleaned up almost immediately. These situations, as they arise to this level, become D.E.C. violations as well and we have a fairly good rapport with the D.E.C. representative for our region."

William Kasperovich, Wading River, "This lawyer sitting right there, and I were in court for six months on dumping. And if that's all he can afford to give advice to the Town of how to improve things, I think you're not doing your job. You could say five thousand dollars and it's not going to change matters. You have got to change tradition. You have to change enforcement. You have to reach over those entrapments. When you find a contractor or a builder, you don't give them a second and third chance. You tell them that's it. The second time he can do work in Syracuse. When it's a small issue, you make a big tadoo. But when there are big things involved and things that set a precedent and that would make... Once a man gets into court on that particular issue.... Thousand dollars, it seems that money is the answer to your problems. Well, it's not the answer to this dumping problem."

Supervisor Janoski, "Bill, we really had this large problem that the Town Attorney refers to. We didn't give anybody a second chance. We impounded the vehicles and we made them clean it up immediately and you were charged with dumping a small amount of brush somewhere and charges brought against you."

William Kasperovich, "Improperly, illegally and by the lack of knowledge of the Town Attorney." And he is still sitting there giving you bad advice."

Supervisor Janoski, "The Town must follow through on these and I don't know what the result of the case was. But I agree it is a shame that we have to spend the talents of this gentleman to deal with this."

PUBLIC HEARING Continued

William Kasperovich, "On an illegal situation. The man didn't have enough courage to say this is not proper and legal and it shouldn't be in court and the judge would have to agree with him and let it go. But over trivia, you spent thousands of dollars of the town's money and the court's time and what have you and accomplished nothing. Now, in improvement of conditions that we have to have not the increase of the fine."

Supervisor Janoski, "Thank you Bill. Is there anyone else present who wishes to address the Board on this proposal? That being the case and without objection, I declare the hearing closed."

8:05 PUBLIC HEARING CLOSED AT 8:25

Supervisor Janoski, "Let the record show that the hour of 8:25 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:10 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, August 18, 1987 at 8:10 p.m. to hear all interested persons regarding: The Condemnation by the Town of Riverhead through Community Development Agency, of premises at 1035 West Street, Riverhead, owned by James and Sophie North.

Richard Ehlers, "The proposal before the Board this evening is to take testimony as to the advisability of condemning property at West Street owned by James and Sophie North for urban rural through the Community Development Agency."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone present who wishes to address the Board on this proposal? That being the case and without objection, I declare the hearing closed."

8:10 PUBLIC HEARING CLOSED AT 8:26

Supervisor Janoski, "Let the record show that the hour of 8:26 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:20 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, August 18, 1987 at 7:20 p.m. to hear all interested persons regarding: The Addition of Section 108-76C to the Town Code.

PUBLIC HEARING Continued

Richard Ehlers, "The existing zoning ordinance permits the Zoning Board of Appeals to grant variances for hardship on parking or other factors. The proposal is that when such a variance is granted, that a fee be paid into a general parking trust fund which would then be administered by the Town Board to construct parking for general locations. This would assist parking facilities to be built in hamlet areas or other locations such as downtown where additional parking is required. The fee suggested is two thousand dollars per space. It's a system which is used by the Village of Westhampton Beach, Village of Southampton and I believe the Town of Southampton."

Supervisor Janoski, "I guess that's a pretty reasonable description of what it is. Is there anyone present who wishes to address the Board on that proposal?"

Michael Agusten, "I'd just like to address the Town Board to ask how you came about this two thousand dollars per space. It seems a little bit high in terms of, you think about ten spaces, would then be twenty thousand dollars. It comes to about ten dollars a square foot and land is perhaps isn't as valuable as that. We're just wondering what the reasoning and the logic to come to that."

Councilman Prusinowski, "How much does it cost to put in a parking field today per square foot with asphalt, drainage, curbing, sidewalks?"

Michael Agusten, "Is that the logic that prompted this decision?"

Councilman Prusinowski, "I think the two thousand per space is probably cheap considering the cost of improvements today with doing this."

Michael Agusten, "It wouldn't cost me two thousand to put a parking space in."

Councilman Prusinowski, "Well, you know when you do municipal projects, there might be a... See what we're talking here is a general purpose type of situation."

Michael Agusten, "It seems like you're trying to set up a trust fund which I would agree."

Councilman Prusinowski, "I'll tell you something. Brookhaven had done this maybe 15 years ago. I was up in Port Jefferson today gloriously driving through 25A. And maybe if Brookhaven Town or Smithaven Town and Huntington had done this 15 years ago, you might not have the congestion you have in some of the downtown areas. Because part of the trust fund, we also have town roads here in Riverhead, it could be that some of the trust fund could be used to improve some intersections and things like that."



PUBLIC HEARING Continued

Michael Agusten, "I'm not against the concept of establishing this...."

Councilman Prusinowski, "Roadwork is very expensive."

Michael Agusten, "I'm not against that concept at all. In fact, I'm very much in favor of such a thing because parking is a problem. Not only in the Town of Riverhead but in many areas of Long Island. And I totally agree with you. If these trust funds were set up prior, that we would have less congestion on the Island than we do today. All I'm questioning is the amount and if there needs to be more logic into the economics similar to what you had asked us to do on the analysis for landscaping requirements. Maybe this needs some more thought in it. And if you need some help, I would be glad to try to help you out."

Supervisor Janoski, "Certainly, if you would have the opportunity to do some computations and suggest an alternate figure, I would like that. And that's why this public hearing is being held."

Michael Agusten, "Ok. Thank you very much."

Supervisor Janoski, "Thank you. Dick."

Dick Benedict, Fanning Blvd., "Does this mean that if we get this on the books, that we'll be lenient whenever somebody comes to ask for parking spaces? If it's a hardship, then he can only build ten spaces where fourteen is required? He'll be willing to give up eight thousand dollars and we'll let him build?"

Supervisor Janoski, "No. I think that if a person has a lot in which he can't provide parking for the square footage, that the Zoning Board of Appeals is going to be the Zoning Board of Appeals. They call them as they see them and there has to be a very good presentation of a hardship or an inability to meet the code. Now, I don't know if you've been before our Zoning Board of Appeals."

Dick Benedict, "I sat in."

Supervisor Janoski, "Then you know that that is the place the rules are the rules. This is a protection of the town in that if for a good reason, someone comes in for forgiveness for a number of parking spaces, that a trust fund will be set up that will allow the municipality to provide municipal parking in some other location to ease that hardship."

Dick Benedict, "This is not going to encourage people to build on Roanoke Avenue for doctors or whatever, that don't have the required lot size or the spaces for parking and be willing to give up that two thousand dollars."

Supervisor Janoski, "I don't think that's going to be the motivation. I think the motivation is already there. That Roanoke Avenue is professional and to some extent...."

PUBLIC HEARING Continued

Dick Benedict, "But this would fit right very nicely if they didn't have the required parking spaces."

Supervisor Janoski, "See you're looking at this the wrong way. You're saying that this is going to motivate people to..."

Dick Benedict, "Yes I believe that once we get it in writing, it would motivate people. I'm for it, paying to increase the size of municipal parking fields in a hardship case but I don't want to encourage hardship."

Supervisor Janoski, "I don't think we're encouraging it."

Councilman Prusinowski, "I don't think it's encouraging. On a basis now, we see from time with the Z.B.A. does grant variances on parking. We see it all the time, maybe one or two spots but they might be off by 10% or 5%. You don't know. What this would protect is; that if a major project came into town and required 400 spaces and they prove hardship and they're only going to get 325 spaces, that's where the impact to the community comes in and the guy has to come up with 50 or 60 thousand dollars. And he would be less apt to go to the Zoning Board of Appeals, he'd rather... Basically, it comes down to square footage. He's going to say; if I can build "X" square footage and my parking requirements are so much per square foot. He would say; hey, is it worth it for me to go to the Zoning Board of Appeals. Because if I get a variance where I can achieve that but I have got to come with 80 thousand dollars. And we see those proposals go to the Z.B.A. They haven't been approved but they've been... Every developer comes into town and if he can cut the corners to save some money, he'll try."

Dick Benedict, "My main concern is more with this small guy. Not the big construction outfit. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on the proposal of the establishment of a trust fund? That being the case and without objection, adjourned."

8:20 PUBLIC HEARING CLOSED AT 8:34

Supervisor Janoski, "I see that the hour of 8:35 p.m. has arrived. Why don't we open both public hearings and if you would read the public notice for both."

PUBLIC HEARING - 8:30 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, August 18, 1987 at 8:30 p.m. to hear all interested persons regarding: Repeal of Local Law #2-87; "Alarm Systems".

PUBLIC HEARING - 8:35 p.m.

I have affidavits of publication and posting of a public hearing will be held on Tuesday, August 18, 1987 at 8:35 p.m. to hear all interested persons regarding: Addition of Local Law of 1987; "Alarm Systems".

## CORRESPONDENCE:

Philip Kenter, 8/18/87

Personal references and opinions to implementation of new law regarding "Alarm Systems".

Supervisor Janoski, "Is there anyone present who wishes to address the Board on the matter of the revision of the "Alarm System"?"

Richard Ehlers, "The purpose of the revisions are to simplify the law to clearly state that the primary purpose is to deal with the false alarm problem. So that on the third false alarm, a \$100 fee would be required and that fee would be required for each additional false alarm above the number of three. The earlier code had a lengthy and exhaustive series of questions concerning the owner, the operator of the system. And based on comments concerning privacy, it was thought best to delete those and go to the heart of what was the earlier proposal. The elimination of false alarms."

Supervisor Janoski, "Thank you. Yes sir." We have both. One is the repeal of the existing and the other is the new proposal. So you can talk about anything you want on that subject."

Charles Gruner, Sound Shore Rd., "I'm the president of the Board of Trustees of the Riverhead United Methodist Church and I'm a retired Lieutenant of the New York City Fire Department. We have an automatic fire alarm system. Or I should say first, that I'm in favor of repeal of the old ordinance. We have an automatic fire alarm system at the church that is connected (I think) directly to the Riverhead Fire Department. Periodically, the alarm system transmits an unnecessary alarm. I say unnecessary because it's not a malicious false alarm. The new proposed legislation relative to the alarm systems could cause a severe strain on our already limited budget. This legislation could discourage the installation of burglar and fire alarm systems, and a very good tool for notification of a crime in progress or a fire in its early stage. It is too late to have a crime reported after the act or a fire reported when it is already out of control. What will the money that is collected for charges, be used for? Will it be of any benefit to the firemen who so willingly offer their very important services? And will the levying of a charge have any effect on preventing alarms from automatic systems? I am firmly opposed to this new legislation in its present form. Thank you."

Supervisor Janoski, "I have to point out that it is the two Fire Departments of the Town of Riverhead who demand that this be enacted because of the danger of the volunteers responding to false alarms and the difficulty considering the great number of them there are each year. Of having volunteers respond to a fire at all because

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

there are so many of the false alarms. So there are two sides to every story."

Charles Gruner, "Well, I realize, being a former fireman, what it is to answer false alarms."

Supervisor Janoski, "And there is a provision (I believe) that the first two false alarms are forgiven which gives you an opportunity to correct your system after what ever the flaw might be that sends out this false alarm."

Charles Gruner, "But just because there is a fine attached, a charge attached it doesn't mean that that will prevent an alarm from being transmitted. So what benefit is there for charging for it? How will that prevent an alarm from being sent?"

Supervisor Janoski, "It's a fine for each subsequent."

Charles Gruner, "I understand. Every third one." Because when our system transmits an alarm, we have it serviced immediately. And it seems like it's out of control of the person who owns the system and they will still get fined for it."

Supervisor Janoski, "Well, I bet if you threatened to find another company, they might fix it right. It's a serious problem. Not only with the Fire Department but with our Police Department. And it is very costly to the government, both governments; the Town Government and to the Fire District and their representatives. And if you want to talk about \$100, I can tell you about the thousand of dollars that are being spent needlessly because of false alarms. I'm afraid that we do have to take some action."

Charles Gruner, "I understand that but how are we going to prevent false alarms?"

Supervisor Janoski, "The prevention is in the fines that they impose for each false alarm sent subsequent to your first two free shots. If you keep on having one a week, you're going to pay that fine fifty times."

Charles Gruner, "Well then that will lead to people discarding their alarm systems and I've tried to point that out how important it is to have these systems."

Supervisor Janoski, "It is a very difficult question. I'm portraying to you the concerns that we have as a Board and we will discuss your testimony."

Councilman Prusinowski, "One of the situations that you have to understand in Riverhead the problem and that something has to be done about it. Really. If you have a better idea..."

PUBLIC HEARING Continued

Charles Gruner, "I know. The Fire Department forwarded a report on the number of false alarms that was transmitted. I am trying to find a way to eliminate this problem."

Councilman Prusinowski, "I'm not trying to make light of the situation. We had the alarm system companies in and they bickered among themselves on how to handle this problem. Other municipalities had it and I'm not familiar what they do in New York City. But other towns have similar ordinances and it has cut down dramatically."

Charles Gruner, "We had one of the biggest fire alarm systems that was installed and they maintain it. The A.D.T. Company. I wrote them a letter but they failed to respond in any way. I wrote them a letter about this problem mentioning that the town was imposing this new legislation."

Councilman Lombardi, "Where are they from sir?"

Charles Gruner, "When I call them, I call Mineola but they are all over New York City."

Supervisor Janoski, "We have (I've just been handed) a false alarm report for the month of July, 1987 and I see that there were previous alarms previous to July; 452 false alarms responded to. In the month of July; 29 and the total to date included July; is 481. That's 481 times over a half of a year that emergency personell has responded. Now, don't you think that we better do something about this?"

Charles Gruner, "Definitely. But a fine will not solve it."

Supervisor Janoski, "What do you think will?"

Charles Gruner, "I don't know. It's up to you people."

Supervisor Janoski, "I think that we will try the fine. If that doesn't work...."

Councilman Prusinowski, "In speaking to the firemen and even the Police Department, we've been very lucky. Because you don't realize that when the false alarms happen, we've been lucky that because of the size of the community, that we didn't have duplications of emergencies going on. Because if there was a real fire going on somewhere and you responded to a false alarm first, we only have so many companies in the town. And it's true. You know because you're previous experience, that a matter of minutes or seconds can determine between life and death and loss of property. So they don't take this thing very lightly. It's a very serious thing and they've been harping on it for two or three years to do something about it. As far as the Police Department, it's obvious. If we're going down to "X" jewlery store and if somebody's breaking in and there's a real crime going on somewhere else, we only have so many cars on the road at one time. This is a very serious matter. If somebody has a better idea of how to do it..."

PUBLIC HEARING Continued

Charles Gruner, "I understand that. We have burglar alarm systems installed in the parsonage. Now, they're going to have double trouble."

Councilman Prusinowski, "Well, I have to say, one of the alarm companies took the responsibility and he's from another town who has an ordinance and he said that's part of running a business. That's part of my business to meet that responsibility. He's responsible for them. He maintains it and it's just a philosophy of doing business. You're in business. You're in a burglar alarm business, fire alarm business; that's part of your job."

Charles Gruner, "In 1982, the state proposed legislation making this mandatory for places of public assembly to install fire alarm systems. We did that immediately and now we're going to get charged for having it."

Supervisor Janoski, "If the system isn't working properly, it's sending out false alarms. That's the point. You're not getting a charge for having an alarm system. If it is not properly maintained and operating and you send out false alarms, then you are going to get charged."

Charles Gruner, "Well, I said that we're maintained by one of the biggest fire alarm companies in the state and it's not working."

Supervisor Janoski, "Ok. Thank you very much. Is there anyone else who wishes? Mr. Kasperovich."

William Kasperovich, "I would first like to ask, Mr. Supervisor since you've given us some figures on false calls. Could you tell us how many of these false calls were investigated by our Fire Inspector?"

Supervisor Janoski, "Is there a purpose to your question?"

William Kasperovich, "It's a fire alarm. You gave us how many there were. We have a man on the payroll that takes care of fire inspections. This is part of a fire inspectors duty to get involved in alarms. Now I'm asking how many of these 400 numbers has the man looked into."

Councilman Prusinowski, "They're not all fire alarms."

William Kasperovich, "I'm referring to the Supervisor if you don't mind. Thank you. I'm asking him a question. He gave us numbers and I'm asking him a question. I think it's a fair question. that the people in this town know that you're paying so much a year to a fire inspector and this is part of fire alarms and other things. Now, you gave us numbers that are alarming. How many of these were looked in to by the man that you're paying a salary to as a fire inspector?"

Supervisor Janoski, "They weren't all fire alarms."

PUBLIC HEARING Continued

William Kasperovich, "Regardless. I'm asking how many did he get involved in?"

Supervisor Janoski, "Every one."

William Kasperovich, "Well, if you're going to lie like that, there's no point in my asking you the question."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board on this matter? Joe."

Joseph Sykora, Glenwood, "I really agree with the fine because there are so many volunteer firemen that have been called running to false alarms because these cars do not move out of the road when they see the blue light blinking when a fireman comes through an intersection. According to the law, a volunteer fireman slows down at the intersection but yet, the public will not give him the right of way."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the proposal of the alarm ordinance? That being the case and without objection, I declare the hearing closed. We will recess until five minutes after the hour of 9:p.m."

8:30 AND 8:35 PUBLIC HEARINGS CLOSED AT 8:49

TOWN BOARD MEETING RECESSED AT 8:50

TOWN BOARD MEETING RECONVENED AT 9:15

Supervisor Janoski, "Let's take up the resolutions."

RESOLUTIONS

#561 ORDER CALLING PUBLIC HEARING RE: INSTALLATION OF A SEWER LATERAL AT MILL POND COMMONS.

(See Sewer District Minutes)

#562 ORDER CALLING PUBLIC HEARING RE: AN EXTENSION AND INSTALLATION OF LATERAL WATER MAIN FOR MILL POND COMMONS.

(See Water District Minutes)

#563 APPOINTS MAINTENANCE MECHANIC II FOR RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#564 ORDER CALLING PUBLIC HEARING FOR AN EXTENSION TO THE RIVER-HEAD WATER DISTRICT KNOWN AS EXTENSION 22A.

(See Water District Minutes)

RESOLUTIONS Continued

- #565 AWARDS BID FOR WELLS NO. 7-1 AND 7-2 TEST WELLS 5-2 AND 10-1 FOR RIVHERHEAD WATER DISTRICT.

(See Water District Minutes)

- #566 APPOINTS MAINTENANCE MECHANIC II FOR RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

- #567 PROMOTES EMPLOYEE IN ACCOUNTING OFFICE TO SENIOR ACCOUNT CLERK TYPIST.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Financial Administrator did recommend Eileen Roman for a promotion to the position of Senior Account Clerk Typist.

NOW, THEREFORE, BE IT

RESOLVED, that Eileen Roman be and is hereby appointed to the provisional position of Senior Account Clerk Typist at an annual Salary of \$17,248.70 as set forth in Group 11, Step P of the CSEA Clerical and Supervisory Salary Structure, effective 8/17/87.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Eileen Roman and the Accounting Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

- #568 APPOINTS ACCOUNT CLERK TYPIST IN ASSESSORS OFFICE.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Laverne Tennenberg is currently working as a 90-day Temporary in the Assessors Office as an Account Clerk Typist, and

WHEREAS, the need exists for a permanent Account Clerk Typist,

NOW, THEREFORE, BE IT

RESOLVED, that Laverne Tennenberg be and is hereby appointed to the position of Provisional Account Clerk Typist, at the annual rate of compensation of \$16,183.81 as set for in Group effective August 17, 1987.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Laverne Tennenberg and the Accounting Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

- #569 APPOINTS ACCOUNT CLERK TYPIST IN ACCOUNTING.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.



RESOLUTIONS Continued

WHEREAS, a vacancy exists in the Accounting Office, for an Account Clerk Typist,

NOW, THEREFORE, BE IT

RESOLVED, that Constance Condzella is hereby appointed provisional Account Clerk Typist at ann annual salary of \$16,183.81 as set forth in Group 9, Step P of the CSEA Clerical and Supervisory Salary Structure, effective August 17, 1987.

FURTHER BE IT RESOLVED, that a copy of this resolution be forwarded to Constance Condzella and the Accounting Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#570 TRANSFER OF FUNDS - POLICE DEPARTMENT.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

POLICE

	<u>FROM</u>	<u>TO</u>
A3120.411 Gasoline	\$150.00	
A3120.413 Maintenance of Typewriters		\$ 50.00
A3120.231 Law Library		100.00

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#571 RESOLUTION AND CONSENT TO DEDICATE ROADS KNOWN AS FARM ROAD NORTH.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the County of Suffolk wherein said map was entitled, "Map of Century Farms, Section 3"; and

WHEREAS, plans for the construction of various improvements to said roads known and designated as Farm Road North, were submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead did approve said performance bond as to form, sufficiency, manner of execution and surety; and

WHEREAS, said roads, drainage systems, sumps and other improvements have been completed in accordance with the plans and specifications of the Riverhead Town Planning Boards; and

WHEREAS, the construction of said roads, drainage systems and sumps have met with the approval of the Superintendent of Highways of the Town of Riverhead; and

RESOLUTIONS Continued

WHEREAS, a copy of the ~~letter~~ from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof as APPENDIX A: and

WHEREAS, Special Search Street Dedication from Equity Abstract, Inc., title no. 8708-275479C, has been filed with the Town Clerk of the Town of Riverhead together with a deed of dedication and release affecting said road(s).

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same is hereby given; and be it further

RESOLVED, that the Superintendent of Highways of the Town of Riverhead make an order laying out certain roads known as FARM ROAD NORTH with property drainage facilities, the said Town roads to consist of the land described in the deed of dedication and release dated June 3, 1987, and to extend as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forthwith cause such deed of dedication and release to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that this resolution shall take effect immediately.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#### #572 TRANSFER OF FUNDS.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

	<u>FROM</u>	<u>TO</u>
A3120.416 Police Traffic Tickets	\$ 140.00	
A1110.401 Justice Dockets	500.00	
A3120.414 Police Matron Fees	100.00	
A Seed Clam State Aid	7,000.00	
A3120.439 Police Miscellaneous	100.00	
A3120.213 Police Side Arms	505.00	
A3120.402 Police Ammunition	125.00	
A3120.231 Police Law Library		\$ 225.00
A1110.409 Justice Miscellaneous		500.00
A3120.412 Police Notary Stamps		240.00
A8025.401 Seed Clams		1,000.00
A8025.404 Seed Clams Contr. Services		6,000.00
A3120.232 Police Recording Equipment		505.00

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#573 AUTHORIZES TOWN CLERK TO PUBLISH DISPLAY ADVERTISEMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Town of Riverhead has published a Notice for Proposals for the construction of homes under the authority of the Town of Riverhead Affordable Housing Program; and

WHEREAS, a pre-application form and decision criteria for prospective home buyers has been developed by the Riverhead Community Development Agency;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead authorize the Town Clerk to publish a display advertisement respecting the availability of pre-application forms in the Riverhead News-Review (½ page), the Long Island Traveler-Watchman (1/8 page), Suffolk Life (½ page), and the Community Journal (½ page).

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#574 AUTHORIZES TOWN CLERK TO PUBLISH DISPLAY ADVERTISEMENT.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, the Town of Riverhead has received Community Development Block Grant funds for the construction of homes to be affordable to Riverhead residents; and

WHEREAS, the Riverhead Community Development Agency has developed a Request for Proposals for the construction of these homes;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorize the Town Clerk to publish a Notice of Request for Proposals in the Riverhead News-Review (1/4 page), the Long Island Traveler-Watchman (1/8 page), and the Suffolk Life (1/4 page).

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#575 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, due to the transfer of Paul Bokee, a vacancy presently exists in the position of Maintenance Mechanic II with the Building & Grounds Crew.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Help Wanted Ad as a display ad in the August 20, 1987 issue of The News-Review.

RESOLUTIONS ContinuedHELP WANTED AD

PLEASE TAKE NOTICE, that the Town of Riverhead is now accepting applications for the position of Maintenance Mechanic II with the Buildings & Grounds Crew. Applicants must possess a valid New York State Driver's License and two years experience in the construction field (i.e. plumbing, carpentry, electrical). Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York between the house of 8:30 a.m. and 4:30 p.m. weekdays. No applications will be accepted for this position after August 28, 1987. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age or handicapped status in employment or the provision of services.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#576 ACCEPTS BOND OF RICHARD O'DEA, ROBERT VILLANI & EILEEN VILLANI (NORTH WIND ESTATES).

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Riverhead Planning Board, by resolution dated May 7, 1987, approved the subdivision map of North Wind Estates, subject to the posting of a bond in the amount of \$252,000.00 covering the cost of improvements required by said resolution; and

WHEREAS, a bond has been forwarded to the Office of the Town Attorney who has reviewed same for form.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the resolution of the Riverhead Planning Board, the Town Board of the Town of Riverhead does hereby accept the bond of Richard O'Dea, Robert Villani and Eileen Villani covering the improvements directed by the Planning Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski Jr., Esq., attorney for the applicant/subdivider, and the Riverhead Planning Board.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#577 SUBSTITUTES ATTORNEY RE: PORTION PROPERTIES IN LITIGATION.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the law firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, Esqs., be and are hereby substituted as special counsel in the defence of the litigation with Portion Properties in the place instead of Peter S. Danowski, Jr., Esq., and be it further

RESOLUTIONS Continued

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, Esqs., and Peter S. Danowski, Jr., Esq. and the Town Attorney.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#578 ADOPTS LOCAL LAW OF 1987 ENTITLED, "MOTOR VEHICLE RACEWAY REGULATIONS".

Councilman Pike offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a Public Hearing to be held on the 4th day of August, 1987, at 8:10 p.m. at the Town Hall for the purposes of hearing all interested persons with regard to the adoption of a Local Law of 1987 entitled, "Motor Vehicle Raceway Regulations"; and

WHEREAS, all persons wishing to be heard were heard on said date and at said time and place specified and for said purpose stated in said Public Notice.

NOW, THEREFORE, BE IT

RESOLVED, that a Local Law of 1987 entitled, "Motor Vehicle Raceway Regulations" be and is hereby adopted as follows:

S1. Purpose:

The purpose of this Local Law is to develop an orderly system of rules governing the operation of motor vehicle raceways within the Town of Riverhead.

S2. Definitions.

MOTOR VEHICLE RACEWAYS - Any premises used for the purpose of the operation of any motorized vehicles in competition with each other or in competition and determined by elapsed time.

S3. Scheduling.

Prior to the commencement of the racing season, the operator shall file a schedule of all racing days with the Town Clerk, which schedule shall clearly state the date of racing and each and every proposed alternate rain date.

S4. Hours of Operation.

No motor vehicle raceway shall permit any motor vehicle to warm-up or compete except during the hours commencing 4:00 o'clock p.m. through 10:45 o'clock p.m. Wednesday and Saturday nights during the months of May, June, July, August and September. Under no circumstances shall the last race of each evening commence later than 10:45 o'clock p.m. and the number of races during the months of May, June, July, August and September shall not exceed 26 nights.

RESOLUTIONS ContinuedS5 Mufflers.

All vehicles shall be equipped with a muffler as defined in Section 375 of the Vehicle and Traffic Law of the State of New York.

S6. Penalty for offenses.

No person shall operate a motor vehicle raceway or operate a motor vehicle at such raceway except in conformity with the requirements of this Local Law. A violation of this Local Law shall be an unclassified misdemeanor. Each offense shall be punishable by a minimum fine of five hundred dollars (\$500.).

and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to publish a copy of this resolution once in the Riverhead News Review and post a copy of this resolution at the Town Hall, 200 Howell Avenue, Riverhead, New York.

\*broken lines represent deletions

\*underscore represent additions.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#579 APPOINTS CORRECTION OFFICER I.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, Thomas Barrett be and is hereby appointed to the position of Correction Officer I with the Riverhead Police Department, at the hourly rate of \$5.00, effective August 19, 1987; and

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Thomas Barrett and the Accounting Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#580 TRANSFER OF FUNDS - HIGHWAY DEPARTMENT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Supervisor be and is hereby authorized to transfer the following:

RESOLUTIONS Continued

	<u>FROM</u>	<u>TO</u>
D5110.402 Gravel & Stone	\$15,000.00	
D5110.401 Road Oil & Patch		\$15,000.00
D5140.410 Engineering	\$ 1,000.00	
D5130.400 Equipment Repair		\$ 1,000.00

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#581 TRANSFER OF FUNDS - HIGHWAY DEPARTMENT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Supervisor be and is hereby authorized to transfer the following:

	<u>FROM</u>	<u>TO</u>
D5110.402 Gravel & Stone	\$15,000.00	
D5110.401 Roan & Oil Patch		\$15,000.00
D5140.410 Engineering	\$ 1,000.00	
D5130.400 Equipment Repair		\$ 1,000.00

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#582 REFERS DRAFT FOR POSITION OF TOWN PLANNER TO PLANNING BOARD.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike with an offer to amend.

WHEREAS, Resolution #536 of this Town Board recently created a Planning Department; and

WHEREAS, this Town Board through Resolution #536 seeks to create a position to function as head of the Planning Department; and

WHEREAS, either a Town Planner or Planning Director may function as Planning Department head; and

WHEREAS, on previous occasion Councilman Boschetti had submitted a draft outline proposal for the position of Town Planner to this Board; and

WHEREAS, the members of this Board have reviewed that proposal; and

WHEREAS, this Town Board recognizes that any Planning Department head would need to maintain close working relationships with this Board as well as the Planning Board.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby refers the draft outline proposal and civil service requirements for a Town Planning Director to the Planning Board for its comment and recommendation; and be it further

## RESOLUTIONS Continued

RESOLVED, that the Planning Board is respectfully requested to make every effort to submit its comments and recommendations to this Board as quickly as is possible in order to give this Board sufficient time to create the position of Town Planner or Planning Department head prior to September 17, 1987; and be it further

RESOLVED, that the Town Clerk is hereby directed to immediately forward a copy of this resolution and a copy of the draft proposal for a Town Planner to the Planning Board.

The following listing of duties and qualifications for a potential RIVERHEAD TOWN PLANNER represents the thoughts and suggestions of many individuals and is offered by Councilman Boschetti.

### FIRST DRAFT FOR DISCUSSION RIVERHEAD TOWN PLANNER

#### I. Scope of Duties.

##### A. Town Board.

1. Assist Town Board in researching, developing, and adopting a comprehensive Master Plan for the Town of Riverhead and to assist the Town Board in residential development and adopting zoning laws to implement the Master Plan.
2. Recommends strategies to achieve Town Board planning objectives.
3. Maintains knowledge of currently available sources of revenue, such as grants, private foundation funding.
  - a. Advises on application for funding.
    1. Coordinate with Community Development Agency.
4. Encourages public participation in the planning process.
  - a. Operates a planning information exchange which will establish and maintain a two-way line of communication with the following:
    1. Residents.
      - i. Public hearings on matters relevant to the mission of the Planning Director.
      - ii. Speaking before community groups.
    2. Consultants.
    3. Developers.
    4. Environmental organizations.
    5. The media.
      - i. Drafts appropriate press releases which are instructive and promote a positive town image.
5. Performs other related duties as required.

##### B. Planning Board.

1. Planning Board advisor.
2. Recommends and implements Planning Board policies to achieve planning objectives.
3. Reviews and issues opinions on the manner in which proposed projects (multiple dwelling unit structures, subdivisions, site plans, building elevations, building zones and all other land use



RESOLUTIONS Continued

proposals including those formulated within the Planning Department or other town agency or department) have addressed, or need to address, the following minimum concerns of the town:

- a. Proper land use management.
    - 1. Feasible and favorable alternative uses.
  - b. Town growth control.
  - c. Transportation.
    - 1. Elderly and handicapped.
  - d. Affordable housing opportunities.
    - 1. Elderly and handicapped.
    - 2. Singles and young families.
  - e. Human services.
    - 1. Police.
    - 2. Fire.
    - 3. Medical.
    - 4. Disaster Response.
  - f. Environmental protection.
    - 1. Groundwater.
    - 2. Waste disposal.
      - i. Solid.
      - ii. Sewerage.
      - iii. Toxic.
    - 3. Environmentally sensitive areas.
    - 4. Natural and/or open space protection.
  - g. Aesthetics of proposal.
    - 1. Conformity with aesthetics of surrounding neighborhood and the general country atmosphere of the entire township.
      - i. Dimensions of building(s).
      - ii. Percentage of lot coverage by building(s).
      - iii. Architecture of structure(s).
        - \* Materials.
        - \* Colors.
  - h. Recreational facilities (additional space needed).
  - i. Historic preservation.
  - j. Unusual local conditions.
    - 1. Wind and/or water erosion.
    - 2. Flooding.
  - k. Benefits to entire town.
    - 1. Public utilities.
  - m. Town services.
- 4. Issues requests-for-proposals for consulting services and manages consulting contracts for planning projects.
  - 5. Reviews all current building zones, locals laws, Town Code, rules and regulations governing land use for inappropriateness, inconsistencies, contradictions and/or other errors or misinformation and recommends modifications, deletions and/or additions to correct

RESOLUTIONS Continued

- the problem(s).
6. Prepares and/or supervises any updating of the Master Plan.
  7. Administers the Planning Department.
    - a. Supervises all subordinate staff.
      1. Presents job classification data and recommends staff job descriptions for the Planning Board to favorably review and, in turn, further recommend to the Town Board.
      2. Organizes staff personnel to assist the Planning Director accomplish his/her duties and those of the Planning Department in a thorough and timely manner.
    - b. Oversees any approved operating budget.
  8. Performs related duties as required.
- C. Disaster Planning.
1. Assists in the preparation and maintenance of any town predetermined emergency plans which seek to protect lives and property from the effects of severe storms, disasters or other calamities.
    - a. Coordinates with the Emergency Medical Services and Disaster Planning Committee.
- D. Planning mediator.
1. Where possible, offers alternative planning solutions which accomplish planning goals while providing a compromise path between opposing planning viewpoints within the community.
- E. Educational responsibility.
1. Has responsibility for maintaining knowledge of newly adopted or amended laws or regulations, and for sharing such information with other directly or indirectly affected town agencies, departments or officials in a timely fashion.
  2. Participates in a sufficient number of symposia, conferences and training sessions to properly advise the Planning Board in the areas of its interest and to keep current with the latest developments in the professional planning field.
  3. Actively seeks to learn the planning suggestions of residents, community civic groups, environmental groups and business people and integrates valid concerns and observations into the town planning process.
- F. Working associations.
1. Maintains close liaison with, but not limited to, the following:
    - a. Community Development Agency.
    - b. Building Department.
    - c. Emergency Medical Services and Disaster Planning Committee.

RESOLUTIONS Continued

- d. Farmland preservation program.
  - 1. Agricultural Committee.
- e. Municipal solid waste disposal programs.
  - 1. Riverhead/Southampton Resource Recovery Siting Committee.
  - 2. Recycling Committee.
- f. Affordable housing programs.
  - 1. Affordable Housing Task Force.
- g. Capital improvement programs.
  - 1. Capital Improvement Committee.
- 2. Maintains a line of communication with, but not limited to, the following:
  - a. Suffolk County Planning Department.
  - b. Accounting Department.
  - c. Townscape, Inc.

## II. Qualifications.

## A. Formal training.

- 1. Minimum of a \_\_\_\_\_ [graduate]\* degree from a recognised college or university in the discipline(s) of \_\_\_\_\_ [planning, engineering, landscape architecture, architecture, economic development].\*

## B. Experience.

- 1. Planning.
  - a. Minimum of \_\_\_\_\_ [five]\* years.
    - 1. Land use management.
    - 2. Transportation.
    - 3. Community services.
    - 4. Housing.
    - 5. Economic development.
    - 6. Environmental quality.
- 2. Administrative/Supervisory.
  - a. Minimum of \_\_\_\_\_ [two]\* years.

## C. Professional knowledge acquired.

- 1. Broad knowledge of associated professional disciplines, which cover the following:
  - a. Land use.
  - b. Environmental law.
  - c. Civil engineering.
  - d. Surveying.
  - e. Public Finance.
  - f. Grant writing and management.
  - g. Capital improvements programming.

## D. Professional certification(s).

- 1. American Institute of Certified Planners. (Requires certain experience and a passing grade on a exam.)

\* Blank indicates item requiring separate specific consideration; brackets indicate possible choices.

RESOLUTIONS Continued  
TOWN PLANNING DIRECTOR

GENERAL STATEMENT OF DUTIES

Directs the activities of the planning department of a large township; performs related work as required.

DISTINGUISHING FEATURES OF THE CLASS

Under general direction, an employee in this class is responsible for administering the policies, procedures, and regulations of a town planning department. Work involves setting up and carrying out a variety of planning studies, and preparing reports for submission to the town board. Supervision is exercised over a small staff of professional, sub-professional and clerical personnel. Work is performed under the general direction of the town board and is reviewed through reports submitted.

ILLUSTRATIVE EXAMPLES OF WORK

Plans, organizes, and directs the activity of a small staff of professional, technical and clerical personnel engaged in the compilation, analysis and interpretation of data relating to town planning.

Serves as technical advisor to the town board, represents the town board on contacts with other jurisdictions, departments, and commissions on matters relating to planning.

Prepares annual budget for the approval of the town board.

Prepares comprehensive reports of departmental activity and other reports based on careful research and studies of planning.

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES

Thorough knowledge of the principles, practices, methods and techniques of community and regional planning.

Good knowledge of current literature, recent developments, and other sources of information in public planning.

Good knowledge of those phases of civil engineering, economics, public finance, sociology, and architecture which applies to town planning.

Good knowledge of statistical concepts and methods.

Ability to plan, supervise and review the work of a small professional and technical planning staff in a manner conducive to full performance and high morale.

Ability to establish and maintain effective working relationships with civic leaders, public officials, and the general public.

Ability to make difficult planning studies and formulate substantial recommendations for planning standards in the development of overall town plans.

MINIMUM QUALIFICATIONS

Graduation from an accredited college or university with a major study in planning, economics, government or public administration, landscape architecture, architecture or civil engineering, plus six years of satisfactory experience in the field of community or regional planning, one of which must have been in a supervisory capacity; or,

Relevant additional education may be substituted for experience on a year-for-year basis.

RESOLUTIONS ContinuedASSISTANT TOWN PLANNING DIRECTORGENERAL STATEMENT OF DUTIES

Assists in directing the activities of the planning department of a large township; performs related work as required.

DISTINGUISHING FEATURES OF THE CLASS

Under general supervision, an employee in this class is responsible for assisting and administering the policies, procedures and regulations of a town planning department. Work involves the responsibility for supervising and reviewing the work of a small technical staff engaged in conducting research field studies and tabulating data. The employee is also responsible for acting in the place of the department head in his absence. Supervision is exercised over technical, drafting, and clerical personnel. Work is reviewed throughout its progress and upon its conclusion by the planning director.

ILLUSTRATIVE EXAMPLES OF WORK

Supervises a small number of technical personnel in carrying out field assignments and collecting and tabulating planning data.

Supervises a small number of drafting personnel preparing maps and illustrations for use and preparation of proposed planning projects.

Acts in the place of department head in his absence.

Compiles data and prepares reports on the physical and social characteristics of the community including educational, recreational, shopping and transportation facilities, public utilities and other services, as they effect community redevelopment.

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES

Comprehensive knowledge of the principles, practices, methods and techniques of community and regional planning.

Comprehensive knowledge of statistical concepts and methods of research techniques.

Good knowledge of effective supervisory techniques.

Ability to conduct field surveys and research projects in the development of community plans.

Ability to analyze factual data and to prepare drafts, diagrams, and reports.

Ability to plan, supervise, and review the work of others in a manner conducive to full performance and high morale.

MINIMUM QUALIFICATIONS

Graduation from an accredited college or university with a major study in planning, economics, government or public administration, landscape architecture, or civil engineering, plus four years of experience in city or regional land planning; or,

Satisfactory equivalent combination of the above education and experience; or,

Two years as a permanent Planner.

RESOLUTIONS Continued

Councilman "I would like to make a motion to amend. Basically, that date has to be added, so I make a motion to amend it to include the date September 17, 1987. I would also suggest that we attach to the forwarding document, a civil service requirement for the Town Planning Director. It's my understanding that the basis for Mr. Boschetti's draft is based on the Planner Director operation in Nantauket. And to the extent that that may be inconsistent with or amplify and in fact improve on the basic requirements for Town Planner Director in the civil service. I'd just like us to be able to look at those objectively to make sure that we can do it within civil service. So I would modify the first resolved after this phrase; "Town Planner" the language along with the civil service requirements for Town Planning Director. Finally, I would add to it under "Scope of Duties" A: the following language: "...overall to research, develop, adopt and maintain a comprehensive Master Plan and to assist the Town Board to research, develop, adopt and maintain a comprehensive Master Plan and to assist the Town Board to research, develop and adopt zoning regulations to enforce the plan. That seems to me to be the pre-eminent and primary purpose of the Town Planner. And I just wanted to make sure it was included in the draft."

William Kasperovich, I have a point of order."

Supervisor Janoski, "Bill, you don't get a point of order because quite honestly, you're not a member of this Board. If you would like to be recognized, I would be happy to recognize you."

Councilman Boschetti, "I will call for a discussion on the motion to amend."

Supervisor Janoski, "Bill, I certainly never would deny you the right to speak unless you spoke too long."

William Kasperovich, "Well, we don't want to ever forget that. Forgive but never forget that. You violated my civil rights by having me ejected from this place. And yet to this very day, the thing that we were talking about and discussing brings us to a point that is very serious and what I was presenting. Now, Councilman Pike interjects civil service. Civil service has their own description of requisite and pre-requisite. Now, although he says he wants civil service included, he is in essence effecting the entire thing that Boschetti put forth. Now, if you want to inject a pre-requisite and requirements from the civil service status into this, fine. But to throw this aside and put civil service in its place, is for the birds."

Councilman Pike, "That's not what I'm doing. I'm adding to it."

William Kasperovich, "Roman numeral I-A(4); performs other related duties as required. Now, that could be anything. And certainly there's a difference between a director of a department and a planning director persay. Considerable difference. We want to take into civil service consideration how large a force and staff

RESOLUTIONS ContinuedWilliam Kasperovich, Continued

is going to be here. We want a working man and an administrating man. Then this and civil service may throw the thing into a.... (INAUDIBLE)..."

Supervisor Janoski, "We're referring it to the Planning Board for their review and recommendation. They are to discuss their needs and make a recommendation. I have an amendment which has been moved and seconded. Now the time for the discussion. Mr. Boschetti."

Councilman Boschetti, "As far as the observation that the most important aspect of the planner has been omitted. There is a provision in here that does say, and it's under the Planning Board, not under the Town Board, as far as the scope of duties is concerned. I believe it's on page three, top of the page number 6; says prepares and/or supervises any updating of the Master Plan. Of course as Bill pointed out, any additional work that might be needed to strengthen that Master Plan or the implementation of it, could be so directed by the Planning Board through the Planner. What I find confusing however, is why now at this late date, we now move to amend which is not a new proposal. It's been around for months. It's not as if I haven't asked the other Boards for input. We have. Councilman Lombardi advised me some time ago that he was seeking input from the Chairman of the Zoning Board of Appeals and the Planning Board and never got that input. Some time thereafter, I put together this proposal which does include input from the planning job description of Nantauket as well as other areas. Additionally, there's also some thoughts that had been related to me by an individuals as well as some thoughts of my own that went into this. I submitted this to the Town Board about three months ago and we had some discussion on it but there had been no movement. In June, I sent a copy to the Chairman of the Planning Board asking for a review and that evidently, was not done. I have received no such input from that Board. At the last Board meeting, we had a resolution that created (what I would call) a sealed Planning Department. You may laugh if you like. Anybody reading that resolution, I think doesn't need to look much further to realize that the Planning Department is created in name only. It's a shell and nothing more. The simple reading of that resolution would prove that. The resolution consists of about four paragraphs. We have discussed the Planning Department for many, many months. In fact, approaching two years. And that resolution certainly is a far cry from representing the amount of discussion that went into the possible creation of a Planning Department. In any case, when it was passed, I was invited to submit my own input in order to strengthen the Planning Department resolution as was submitted and approved at the last Board meeting. In fact, by Mr. Pike. When I had done that, as I said months ago, and I bring it again to the attention of the Board. Nine days ago I told the Board that I would be submitting this proposal in a resolution form so that it could be forwarded to the Planning Board for their input. Since that time, there has been absolutely no objection to that request of mine. And yesterday, when we went over the agenda, there

RESOLUTIONS ContinuedCouncilman Boschetti, Continued

was no one who objected to this particular proposal of mine and the resolution referring to the Planning Board. There was no objection stated at all. Tonight I was asked to table it and I can not see a reason for tabling it given this history that I have just recounted to you. This is something that has been going on for a long time. It's needed. It's certainly much more comprehensive than the Planning Department resolution that was created back on August 4th. It consists of roughly five pages of outlines designating and detailing what a planner should do. I think it deserves to be reviewed as submitted. I don't understand this amendment to try and include the civil service job description. The civil service job descriptions are available to the Town and certainly they don't need to be further reviewed by the Planning Board. It's already an accepted job description by civil service. However, this particular proposal might go beyond some of the parameters of the accepted job descriptions and I think should be reviewed by the Planning Board to see if it covers all aspects and concerns that they might have with the possible position of Town Planner be created. If they reviewed it favorable, then I would suspect and hope that this Board would then forward it to the Civil Service Department so that the Town Planner title would then become accepted by them and then you could go ahead and hire such an individual. Thank you."

Councilman Pike, "Well, if you don't understand it, I'll try to explain it to you. Pretty simple. I was sworn into this office. I was sworn to uphold the law. And the law of the State of New York is that we don't hire people under the civil service requirements of the State of Massachusetts and we don't hire them under the State of Rhode Island. We hire them under the laws of the State of New York. We have a very specific civil service requirement for the head of a Planning Department. I have attached it to this resolution. If the Planning Board, unaware of those requirements, those legal requirements, were to make a suggestion that in any way didn't meet those requirements and we attempted to hire such an individual, we would probably end up violating the law and I am not in favor of doing that. This is a very simple, uncomplicated thing. I would like to see what improvements are there that are suggested by this. I would like to suggest some of my own. I would like to do it in a legal way. As to the question of it being the Master Planning question, it's really quite simple. The Planning Board's job (in my mind) is to advise this Board. The CAC's job is to advise this Board. The Environmental Quality Review Board is to advise this Board. But when it comes to it, this is the place where the decisions are made. This is the place where the zoning laws are adopted and this is the place where I hope, sometime in the future, that a Town Master Plan comprehensive in nature will be adopted. That is our responsibility and that's why I want it as amended and I would hope that we could move on the amendment now."

Supervisor Janoski, "Any other discussion?"



RESOLUTIONS Continued

Councilman Boschetti, "Yes. With all due respect, the Planning Board does advise and that's exactly why I'm asking that it be referred to them for their advice. If they should accept it as written, we can move and make sure it's fulfilled and complied with all the legal requirements. As Mr. Pike just eloquently pointed out, the Town Board makes the decision, not the Planning Board. So if they recommend something that's not legally acceptable, it's up to us to make sure we find a way of making it legally acceptable. As I said in my opening remark, with the discussion period, I would hope that if this is reviewed favorably, the Town Board would make it in a form that is acceptable so that it can be favorably reviewed and accepted in turn, by the Civil Service Department. That would make it legal. It would not make it something that would be a transplant of Massachusetts. As I pointed out, there are some points from other areas because they seem to have worked in other areas and I went through them and I took the time to draft this proposal. I find it very interesting that even though we had discussed a Planning Department for two years, that we end up with a resolution of five paragraphs. And when I ask for a delay of two weeks to try to strengthen it, I can't get it. Yet here we are with something that's much more concrete, much more comprehensive. And now suddenly there has to be a watering down process attempted. I just don't understand the motivation here. I'm asking that this proposal be sent as drafted. We don't need to have a Planning Board review. A title of Planner is already accepted by civil service. It's redundant. Therefore, I ask again that we simply forward this proposal as written to the Planning Department for their review and recommendation. It's not their decision. It's the Board's decision. They will recommend to us and we either implement, change or reject. That's our problem. We are not suggesting in any way that the Planning Board would have that authority. Maybe some of you might ask why do I even want the Planning Board to review it. Because it's very imperative that any Planner that will be in charge of a department as planning, work closely with the Planning Board. They are the body really, that should be working most intimately with the Planner. Not the Town Board. The Town Board should play a role but not the most imperative or important one. That function should go to the Board. They should work hand in hand and that's what I'm seeking to do. I think that if you remove the politics out of the planning process, we all might be the better for it and that is also what I'm attempting to do. And if you might be able to get it out of the political arena by letting the Planning Board play the role it should play and give a recommendation that I'm requesting."

Supervisor Janoski, "The amendment has been moved and seconded."

The vote, Boschetti, no, Pike, yes, Prusinowski, yes, Lombardi, no, Janoski, yes.

The amendment was thereupon duly declared adopted.

Councilman Prusinowski, "I'm voting yes because you know, Lou, you wrote this proposal and it's fine and I see no reason why to send to the Planning Board the civil service requirements. This

RESOLUTIONS ContinuedCouncilman Prusinowski, Continued

thing has been completely blown out of proportion. I vote to create the Planning Department because I say through tri-board meetings and there are certain things we have to do. There is a time for action and there's a time for rhetoric. There's too much rhetoric going on around here. The fact is that we moved these people into one facility to make it and start organizing the town for the future. I'm not running for Supervisor. I'm not trying to get votes up here. I'm trying to do what's best for the town. I'm voting for this amendment because ultimately, the Planning Board should see these civil service things and I'm not saying they can't incorporate because we can write a new title based on your proposal and send it to civil service and get it approved and we know that. So this is not a grandstand play. It's just something that should be done logical. I vote yes."

Councilman Lombardi, "I wasn't going to say anything. But after hearing Mr. Prusinowski, I just asked Mr. Prusinowski whether he was going to vote for this resolution and he said "yes" of Mr. Boschetti's resolution."

Councilman Prusinowski, "And I meant that I'm going to vote for the amendment."

Councilman Lombardi, "And I'm not saying that Mr. Boschetti is right or Mr. Pike's right. I just feel that this resolution should be filed the way it was or the way it is because I did speak to the Planning Board four months ago and I even spoke to the Zoning Board four months ago. Not only once, I spoke to them three or four times to get some input on a Planner. What type of Planner we need in the Town of Riverhead but nobody came through with any question or answers or anything. Do we have to put everything in writing to these Boards? It seems like we have to do that. I have to put everything in writing. I can't go up to a person and ask them if you would get us some information. Everything has to be put in writing and that's a d--- shame. Excuse the expression but that is. Another thing is that this will go to the Planning Board, they will give us input and that's what I'm looking for; input. I'm not looking for anything else. And if I don't agree with them, I won't agree with them. We have to go around playing this game and I'm tired of this game. Let's do something to work for the and stop fooling around. I vote "no".

Supervisor Janoski, "The addition of the civil service information is certainly not of any significance and I don't see why you should not send it along. As a matter of fact, this whole debate may be mute because I understand that Rick Hanley, the Director of Community Development is very much interested in becoming the head of the Planning Department. We may not be hiring anybody new for that position. I see nothing wrong with adding that information which has been submitted. I vote, "yes".

RESOLUTIONS Continued

The vote,

Councilman Boschetti, "I guess I'll have to vote "yes"."

Councilman Pike, "Yes."

Councilman Prusinowski, "Yes. And I meant John, that I would vote for the amendment and I'll vote for the resolution. I have no problem with both. And the fact of the matter is, we sat at a meeting here three weeks ago and a direct question was asked to the chairman of the Planning Board and the Zoning Board of Appeals several times if they wanted this department created and it's up to us as managers to take the bull by the horn and do it and to work out the details. And the fact of the matter is; Rick Hanley now currently does both Community Development and he came to us in December. He sent us a memo recently. The fact of the matter is that we have asked these people a hundred times. This job is being done now. They needed space in the Building Department. There comes a time that you have to answer their needs and that's basically my primary function as a Board member. Not to placate political ambitions but to do what is right for the town. The Planners, the people in the Building Department, the Zoning Board of Appeals people. Everybody I talked to said this was the right move. Now how can everybody be right and you guys are wrong?"

Councilman Boschetti, "Then why didn't you create the Planning Department the way it should have been?"

Councilman Prusinowski, "What should have been? What's created now?"

Councilman Boschetti, "What did you do?"

Councilman Prusinowski, "I don't understand."

Supervisor Janoski, "Alright. We're breaking down...."

Councilman Prusinowski, "What we did was we organized them in there."

Councilman Boschetti, "You took a shell. You took four people and created a main. That's all you did."

Councilman Prusinowski, "That's rhetoric. That's rhetoric and it's rhetoric."

Councilman Boschetti, "Rhetoric is what you're speaking."

Councilman Prusinowski, "You're speaking in rhetoric and what I'm saying is that this is the right thing to do."

Supervisor Janoski, "Did you wish to be recognized Mr. Lombardi."

RESOLUTIONS Continued

Councilman Boschetti, "Usually it's very nice to let every Councilman just speak and let them wait until they're done before you speak. And I apologize to Councilman Prusinowski for interrupting him. I was wrong and I admit it and I'm sorry. However, I think I was sufficiently provoked by his very pointed remarks about political ambition and running for Supervisor, etc. This has nothing to do with politics. My move is trying to get the political process out of planning and this is exactly why. You see what's going on here tonight and we're just in the very initial stages of it. Can you imagine how it will be when planners are actually embroiled in politics? That's we have to make the separation clear and that is why I want to make sure that the Planning Board gets this unwatered down. The civil service thing exists. It's there. They can certainly make recommendation that we incorporate that into what I'm proposing and that's why I was against this amendment but it's going there and that's all I want."

Councilman Lombardi, "Alright Vic. You said that you wanted to create the Planning Department. You know, I had problems with creating the Planning Department because the way it was being done and where it was being moved. And I still feel that way and I still feel that the way we created it without a department head didn't make any sense either without somebody overseeing it. Rick Hanley is Community Development and that's what we've interviewed him for and that's what we hired him for. And when we did create a Planning Department or a Planning Head, then that's what I'll look for. So I vote, "no"."

Supervisor Janoski, "I am going to vote in favor of this and quite honestly..."

TOWN BOARD MEMBERS SPOKE SIMULTANEOUSLY CREATING AN UNDECIPHERABLE ARRAY OF REMARKS.

Supervisor Janoski, "Rick Hanley is a professional planner. He was promoted to the position of Community Development Director and we have traditionally operated in our planning endeavors through that office. They are now headquartered across the hall here. We are going to need an individual to head that department but we do have an individual right now in an interim basis; Mr. Hanley, and the work is moving forward and I think they're doing a good job. And when you consider the circumstances and how long it has taken us to get to this point. As I pointed out, Mr. Hanley has pretty much indicated that he intends to express a preference to become the head of the Planning Department. So what we may be looking for is a Community Development Director and this whole debate is for nothing. I'm going to vote for this and everybody knows who has been following this, that I agree that we need three planners in there. I believe that we need someone with some technical ability such as an engineer so that we can have some projects worked on around this town. But I'm going to vote for this so that we will get a review by the Planning Board."

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, no, Janoski, yes.

The resolution was thereupon duly declared adopted as amended.

RESOLUTIONS Continued# 583 AUTHORIZES ATTENDANCE OF CELESTINO QUINONEZ AT PARKING  
METER SERVICE SEMINAR

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti.

WHEREAS, Duncan Industries is sponsoring a parking meter service seminar on September 23 & 24 in Baltimore Maryland, and

WHEREAS, Parking Meter Officer Quinonez has expressed an interest in attending said seminar.

NOW, THEREFORE, BE IT RESOLVED, that PMO Quinonez be and is hereby authorized to attend the Parking Meter Service Seminar to be held in Baltimore, Maryland, September 23 & 24, and

BE IT FURTHER RESOLVED, that PMO Quinonez be issued a \$250 advance to cover the cost of registration, lodging, transportation and meals. Said expenses to be fully receipted upon his return, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to PMO Quinonez and Chief Grattan.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes,  
~~Lombardi, yes, Janoski, yes.~~

The resolution was thereupon duly declared adopted.

#584 ACCEPTS RESIGNATION OF ACCOUNT CLERK TYPIST AND  
APPOINTS ACCOUNT CLERK TYPIST IN ACCOUNTING DEPT.

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, Felicia Tribuzio did submit her written resignation from her position of Account Clerk Typist.

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Felicia Tribuzio be and is hereby accepted effective August 24, 1987, and

BE IT FURTHER RESOLVED, due to this resignation, that Pamela Diem, be and is hereby appointed to the position of provisional Account Clerk Typist in the Accounting Department, at the annual salary of \$16,183.81 as set forth in Group 7, Step P of the CSEA Clerical & Supervisory Salary Structure effective August 31, 1987, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Pamela Diem and the Accounting Office.

RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#585 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: THE ADDITION OF ARTICLE XXVI TO THE RIVER-HEAD TOWN CODE

Councilman Lombardi offered the following resolution, which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the addition of Article XXVI, "Site Plan Review", to the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of September, 1987, at 8:10 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the addition of Article XXVI, "Site Plan Review", to the Riverhead Town Code. A copy of this resolution, in its entirety, will be available for inspection at the Office of the Town Clerk at Town Hall, 200 Howell Avenue, Riverhead, New York, during normal business hours Monday through Friday from 8:30 a.m. to 4:30 p.m.

Dated: Riverhead, New York  
August 18, 1987.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, TOWN CLERK

RESOLUTIONS Continued

## ARTICLE XXVI

## Site Plan Review

108 - 128 Purpose..

It is the purpose of this article to standardize requirements for site plan application and review, so as to assure that the design and layout of particular land uses on a lot, whether such use is a permitted, special permit, or accessory use, will ensure the public safety and convenience, will be compatible with certain man-made features on and off the lot and will, in all cases, comply with the letter and spirit of those provisions of this Code which pertain to such design or layout, and of those provisions pertaining to the use itself.

108 - 129 Review Authorized; Approval Required

## A. Authorization

The Town Board is hereby authorized to review and approve site plans for the activities and land uses listed herein.

## B. Land Clearing

No person shall undertake or carry out any such activity or use, including any grading, clearing, cutting and filling, excavating, or tree removal associated therewith, without first having obtained site plan approval therefor, pursuant to the provisions of this article. Any landowner found guilty of violating this ordinance shall be fined at the rate of \$100 per day.

## C. Permits

No permit required for any such activity or use, including clearing or regrading of land, or the erection, construction, alteration, demolition, or moving of any structure, shall be issued until the required site plan approval shall have been granted and the approved site plan thereafter shall have been signed by a majority of the Town Board. Such signing shall occur only after all those conditions contained in the resolution of approval, or imprinted on the site plan by or on behalf of the Town Board, which are required to be complied with by the applicant before issuance of a building or land clearing permit, have been met.

RESOLUTIONS Continued

approvals for the activity have first been obtained.

B. All other districts:

Any activity or land use, except single-family residential or agricultural, and their attendant accessory uses, requiring a building permit hereunder, including conversions and changes of uses, and all clearing and grading, except where the permit sought involves only a sign on a structure.

C. In every district:

Any activity or use made subject to site plan review as a condition of any permission or approval granted by any local agency.

108 - 131 Applications

A. Preliminary Review

The site plan process shall commence with the submission of preliminary plan(s) for review by the Planning Department to determine code compliance and aesthetic compatibility. Said review shall be a process between the Planning Department staff and the project designer(s), with no time limitation or fee imposed. The end result of the preliminary review shall be a site plan which shall be acceptable in concept for formal application.

B. Formal Application

Subsequent to preliminary review, an application for site plan approval shall be made on the form for same provided by the Planning Department. Ten (10) copies, plus additional copies as may be required by other levels of government with jurisdiction over the site, of the application, a current survey prepared by a licensed surveyor, the site plan (if separate from the survey), and any other submission or exhibit required by this Article shall be submitted, together with a receipt for the appropriate fee, to the Planning Department.

The Planning Department shall reject any application if it is not so complete or in conformance, and shall notify the applicant as to the reason for such rejection.

For each application for site plan approval submitted to the Planning Department under the provisions of this ordinance, the filing fee shall be one hundred dollars (\$100.), plus one cent (\$.01) per square foot of site improvements and/or altered area. The fee to review an application to amend a previously approved site plan shall be fifty dollars (\$50.). Revisions to a site plan or to elevations in excess of fifty (50) per cent or which significantly change the character of the project, shall



RESOLUTIONS Continued

constitute a re-submission, and shall be charged accordingly.

The site plan shall be drawn to the following minimum scales:

1. Overall development plan, sites of less than two (2) acres: one inch equals twenty feet (1" = 20')
2. Overall development plan, sites of two (2) acres or more: one inch equals forty feet (1" = 40')
3. Detailed portions of a site plan, sites of any size: one inch equals ten feet (1" = 10')

C. Further Processing

If the application is satisfactory, the Planning Department shall retain one (1) copy of the submission, and shall forward the remainder, within seven (7) days, to the Town Clerk. The Town Clerk shall clock all elements of a site plan application, shall retain one (1) copy for her file, and shall thereupon distribute the remaining copies, for review and comment, as follows:

- one (1) copy to the Office of the Supervisor;
- one (1) copy to the Building Department;
- one (1) copy to the Town Attorney;
- one (1) copy to the Town Board Coordinator;
- one (1) copy each to the Highway Superintendent, Sewer District Superintendent, and/or Water District Superintendent, as appropriate;
- one (1) copy to the Fire Marshal.

The Planning Department will, upon review and receipt of comments from those named herein, initiate any amendments or revisions to the Site Plan, or its component parts, through discussion with the developer or his representative, in accordance with the Town Code of the Town of Riverhead and the aesthetic standards desired by the Town Board. The Planning Department will then recommend approval or disapproval, and in a timely fashion such that within sixty (60) days of receipt of said application by the Town Clerk, the Town Board shall approve, modify, or disapprove said site plan and shall state its reason(s) for modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Town Clerk, the plan shall be deemed approved.

- D. The Building Department shall not issue a permit for any plan which does not have Town Board approval. In the event that the Town Board requires modifications, and the applicant agrees

RESOLUTIONS Continued

to same, the Building Department may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.

E. Appeals

Where relief is required of the Zoning Board of Appeals, or any other body with jurisdiction over the site, the time utilized to obtain such relief shall not be tolled towards the sixty (60) day limitation imposed herein.

Should such relief be sought and obtained, said relief does not preclude denial of the site plan by the Town Board when appropriate cause for such denial is duly indicated.

108 - 132 Necessary Elements of Site Plan Applications

To be considered complete, a site plan for which approval is sought shall be dated and shall include at least the following elements:

- A. Property lines, showing directional bearings and distances, adjacent land ownership and streets, location with reference to identifiable street intersection, land uses, directional arrow, scale, tax map identifying number(s) of the parcel(s) involved, and zoning district in which located.
- B. Key map at a scale of one inch equals six hundred feet (1" = 600').
- C. Existing and proposed buildings, structures, and uses, and proposed additions thereto, including finished floor elevation(s) and ground elevation(s) at such building, structure, and use locations.
- D. Floor area for each floor of all existing and proposed buildings, structures, and uses.
- E. Dimensions of property line setbacks to, and dimensions between, each building, structure, or use.
- F. Location of all easements on, over, and adjacent to the site, including the location of all existing and proposed utility lines, hydrants, and fire wells.
- G. Layout of existing and proposed parking and loading areas, including dimensions of spaces, aisles, and street approaches, the general circulation pattern with directional movement shown, existing and proposed curb cuts, traffic safety devices, sidewalks, curbing, paving, drainage structures and their respective specifications. Methods used for computing parking and drainage requirements shall be included.
- H. Photographs of all faces of existing structures on the site.

RESOLUTIONS Continued

- I. Existing and proposed location(s) of outdoor lighting, signs, screen plantings, fences, and landscaping. Any existing woodlands, stand of or individual tree(s), or instance of unique or indigenous vegetation, and any other significant natural features, such as water bodies, drainage courses, fresh and salt marshes, coastal dunes, bluffs, beaches, escarpments, overlook areas, and wildlife habitats, must be included, and every good faith effort made to preserve, maintain, and enhance same. Schedule of all landscape plantings shall likewise be included.
- J. Existing and proposed sewage disposal and water supply systems.
- K. Existing topography of the site and immediately adjacent property, as revealed by contours or key elevations, and any proposed regrading of the site.
- L. Cultural features, such as paleontological and archaeological remains, old trails, agricultural fields, historic buildings and sites, or those that contribute to the rural character of the community or possess a unique and/or identifiable feature.
- M. Techniques by which features found in Subsections H, J, and K above may be preserved on the site, so as to maintain the prevailing character of the area.
- N. Elevations of all faces of buildings and structures, at an appropriate scale for the graphic representation of the materials employed. Such elevations must also indicate:
  - 1. Design character of buildings and structures;
  - 2. Specific materials existing/planned for use on buildings and structures, including colors of any and all materials employed, with their locations indicated on the elevations;
  - 3. Heights of buildings and structures;
  - 4. Roofs and overhangs;
  - 5. Special design features;
  - 6. Typical locations, shape(s), and type of signs.
- O. Models may be required if any building(s), or the site in general, is of a scale or nature that the Planning Department or the Town Board deems said model will substantially aid in the consideration of the site plan.

In reviewing a site plan submitted to it under this Article, the

RESOLUTIONS Continued

Town Board may call upon expert advice in varied disciplines to assist it in making the determination required of it. It shall seek to further the overall purposes and goals of this Chapter, and of other applicable provisions of the Town Code and state law. Moreover, it shall make certain that any development plan it approves hereunder conforms to the following:

A. Physical Compatibility

The rural character and open space environment of the Town shall be fostered by preserving, whenever possible, significant built and natural features of the site. Extensive clearing and grading shall be avoided. Screening with trees or other plantings may be required for parking and other disturbed areas which are created. Permitted coverage shall only be calculated based on buildable area of a site. Wetlands, slopes in excess of fifteen (15) per cent, and cross-easements for roads, and other such areas as shall be so deemed, shall be non-buildable.

B. Protection of Residential Areas

Appropriate buffer landscaping, natural screening, and fencing are to be provided in order to protect neighborhood tranquility, community character, and property values. Further, any exterior spotlighting of buildings or grounds shall be from shaded sources, and located so that light beams are not directed toward any residential lot.

C. Parking

Parking areas and driveways shall be sufficiently drained so as to prevent ponding. All drainage structures, paving, access driveways and parking areas shall be laid out and constructed in accordance with the standards for such facilities contained in this Chapter. Wherever feasible, parking areas shall be placed at the rear of buildings and/or screened by plantings so as not to be visible from the highway. No materials, merchandise, supplies, work in process, finished or semi-finished products, waste materials, commercial vehicles, construction or earth-moving equipment shall be permitted to be used for an industrial or commercial purpose outside of a building in such a way as to present an unsightly appearance when viewed from adjacent roads or properties. Such materials, merchandise, etc., must be kept in the rear or side yard and screened by landscaping or fencing which is in harmony with the principal structure and which has been approved by the Town Board. Vehicles being repaired shall be screened from adjacent properties.

D. Access

Vehicular ingress and egress, interior traffic circulation,

RESOLUTIONS Continued

parking space arrangement, loading facilities and pedestrian walkways shall be planned and built so as to promote safety and efficiency. Vehicular entrances and exits shall be clearly visible from access streets, and shall not be located within seventy-five (75) feet of any street intersection. Approvals for said ingress and egress shall be obtained from the governing body of higher jurisdiction, where applicable.

## E. Lights

Lighting facilities and lighted signs shall be placed and shielded in such a manner, and of such a height and intensity, as not to cause direct light to shine on other properties, and shall not be permitted to create a hazard upon a public street.

## F. Water Supply and Waste Disposal

Provisions for water supply and for sewage, garbage, and other waste disposal must be adequate to the use, must ensure the health and safety of persons on and off the site, and must not result in the avoidable depletion or degradation of the ground-water supply or harm surface water bodies, watercourses, wetlands, or other natural features or systems.

## G. Utility Supplies

All utilities must be constructed underground.

## H. Offer of Dedication of Cross-Easements

The applicant shall show cross-easements for use by adjoining lands for ingress and egress. Where site plan is approved with cross-easements, an offer of dedication shall be recorded with the County Clerk, and a copy of the recorded instrument filed with the Town Clerk.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued# 586 EXEMPTS APPLICATION FROM MORATORIUM WITHIN SOUTHWEST SECTOR

Councilman Boschetti offered the following resolution, which was seconded by Councilman Pike.

WHEREAS, this Town Board did declare a six-month moratorium in the southwest sector of the Town of Riverhead, and

WHEREAS, said moratorium was amended to permit the Town Board to review, on an individual basis, those applications for building permits and site plan review of either existing businesses or applications which were underway prior to establishment of said moratorium, and

WHEREAS, Lucy and Joseph Owen are seeking a minor subdivision of their property on Wading River-Manor Road.

NOW, THEREFORE, BE IT RESOLVED, that the application of Lucy and Joseph Owen be and is hereby deemed exempt from the moratorium, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Lucy and Joseph Owen and to the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#587 APPROVES SITE PLAN OF FRANK TOMMASINI.

Councilman Pike, "Before I move this, can I have a point of clarification? We went over this site plan extensively yesterday and we made some substantial reductions in coverage and I don't see a reference to any plan other than the original one that was submitted to us. And I'm afraid we're approving something that is unamended."

Supervisor Janoski, "I would think that a motion to table is in order."

Councilman Boschetti, "Could you restate the problem?"

Councilman Pike, "The problem is that we made several technical requirements on the face of the site plan yesterday in reduction."

Richard Ehlers, "We handled it with that paragraph 11 which is the applicant shall direct his architect/engineer to submit a revised site plan which shall be in conformance with the red-lined plan initialed by this Board. That all buildings shall be in conformance with said site plan. I wanted to try and get an architect's version of the red-lined plan that we could file with the Clerk."

RESOLUTIONS Continued

Councilman Pike, "Here's my concern with 11 now. It says that no certificate of occupancy shall be issued and that's what threw me. And yesterday's date was what? I move to amend to provide for the red-lined plan initialed by this Board August 17th. I'm submitting an amended resolution. August 17, 1987 and that no building permit shall be issued until all of the aforementioned conditions are met. I move it as amended."

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti.

WHEREAS, a site plan and elevations were submitted by Frank Tommasini for the construction of an addition to an existing retail store and an additional warehouse to be located at Old Country Road (C.R. 58), Riverhead, New York; and

WHEREAS, the Planning Department has reviewed the site plan dated August 16, 1984, most recently revised March 9, 1987, as prepared by Donald A. Denis, A.I.A., P.C., and elevations dated March 11, 1987, as prepared by Donald A. Denis, A.I.A., P.C., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved, and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned, dated August 16, 1984, most recently revised March 9, 1987, and March 11, 1987 and submitted by Donald A. Denis, A.I.A., P.C.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Frank Tommasini for an addition to an existing retail store and an additional warehouse to be located at Old Country Road (C.R. 58), Riverhead, New York, site plan dated August 16, 1984, most recently revised March 9, 1987, as prepared by Donald A. Denis, A.I.A., P.C., and elevations dated March 11, 1987, as prepared by Donald A. Denis, A.I.A., P.C., be and are hereby approved as amended, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property, that all signage so proposed shall be coordinated in appearance and design and

RESOLUTIONS Continued

that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, be maintained at the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

8. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Frank Tommasini hereby authorizes the Town of Riverhead to enter premises at Old Country Road (C.R. 58), Riverhead, New York, to enforce said handicapped parking regulations;

9. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

10. Any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. The applicant shall direct his architect/engineer to submit a revised site plan which shall be in conformance with the red-lined plan initialed by this Board on August 17, 1987, that all buildings shall be in conformance with said site plan, as revised, and that no building permits shall be issued until all the afore-mentioned conditions are met by the applicant; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Frank Tommasini, the Riverhead Planning Department and the Riverhead Building Department.



RESOLUTIONS ContinuedDECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_\_ day of August, 1987, by Frank Tommasini, residing at C/o Route 58, Riverhead, New York, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure, prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

RESOLUTIONS Continued

4. Trash receptacles of a decorative design approved by the Planning Department prior to their installation at the site, shall be maintained at the premises;

5. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

7. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. That any and all landscaped areas shall be regularly maintained in a professional manner; and that any planters, planter boxes, window boxes or other container plantings shall be likewise maintained on a year-round basis.

Declarant has hereunto set his hand and seal the day and year above first written.

---

FRANK TOMMASINI

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On this \_\_\_\_\_ day of August, 1987, before me personally came Frank Tommasini, the owner of certain real property located at Old Country Road (C.R. 58), Riverhead, New York; the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

---

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted as amended.

RESOLUTIONS Continued# 588 ADOPTS LOCAL LAW #4 OF 1987 ENTITLED, "MOTOR VEHICLE RACEWAY REGULATIONS"

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a Public Hearing to be held on the 4th day of August, 1987, at 8:10 p.m. at the Town Hall for the purposes of hearing all interested persons with regard to the adoption of Local Law #4 of 1987 entitled, "Motor Vehicle Raceway Regulations"; and

WHEREAS, all persons wishing to be heard were heard on said date and at said time and place specified and for said purpose stated in said public notice.

NOW, THEREFORE, BE IT

RESOLVED, that Local Law #4 of 1987 entitled, "Motor Vehicle Raceway Regulations" be and is hereby adopted as follows:

\$1. Purpose:

The purpose of this Local Law is to develop an orderly system of rules governing the operation of motor vehicle raceways within the Town of Riverhead.

\$2. Definitions.

MOTOR VEHICLE RACEWAYS - Any premises used for the purpose of the operation of any motorized vehicles in competition with each other or in competition and determined by elapsed time.

\$3. Scheduling.

Prior to the commencement of the racing season, the operator shall file a schedule of all racing days with the Town Clerk, which schedule shall clearly state the date of racing and each and every proposed alternate rain date.

\$4. Days and Hours of Operation.

No motor vehicle raceway shall permit any motor vehicle to warm-up or compete except during the hours commencing 4:00 o'clock p.m. through 10:45 o'clock p.m. a maximum of two (2) days per week nights during the months of April, May, June, July, August and September. Under no circumstances shall the last race of each evening commence later than 10:45 o'clock p.m. and the number of racing days during the months of April, May, June, July, August and September shall not exceed 26 nights.

RESOLUTIONS Continued§5. Mufflers.

All vehicles shall be equipped with a muffler as defined in Section 375 of the Vehicle and Traffic Law of the State of New York.

§6. Penalty for offenses.

No person shall operate or allow the operation of a motor vehicle raceway or operate a motor vehicle at such raceway except in conformity with the requirements of this Local Law. A violation of this Local Law shall be an unclassified misdemeanor. Each offense shall be punished by a minimum fine of five hundred dollars (\$500.).

§7. Effective date.

This Local Law shall become effective upon filing with the Secretary of State.

and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to publish a copy of this resolution once in the Riverhead News-Review and post a copy of this resolution at the Town Hall, 200 Howell Avenue, Riverhead, New York.

Councilman Pike, "I'm going to vote yes but I just want to make a couple of comments here. We had, I thought, a very productive meeting yesterday. And a number of ideas that we haven't had the full opportunity to discuss, I would ask this Board to address them in the very near future. First of all, Vic has mentioned one that the language about mufflers ought to be clarified to either get the specific NASCAR certified mufflers and test them and approve the best of them as being those that you could use or at least provide a performance spec for them. The intent being, and this will be the one time I do it, I don't want that language to be used in any way to stop racing and I don't believe it will be. But I would like it very clear what kind of mufflers we accept and what the performance specs should be and that they be NASCAR approved."

Councilman Boschetti, "Are you offering that as an amendment?"

Councilman Pike, "No. I'm offering these as a series of suggestions that we should consider. I think it's important enough that we get the law in effect."

Councilman Boschetti, "Would you like to offer them as an amendment?"

Councilman Pike, "Unfortunately, I don't think we have sufficient or specific information. So I see this out of the pre-stage process. And what I'm doing is soliciting some sort of motion in that direction. The second good idea I think, is that the Town build into this law specific provision for signed consent for an enforcement officer, a town official either code enforcement or the Town Police to go on site without having to demonstrate probable cause. It would be consent to inspect what is going on. The third improvement would be some clarification on how you treat races. It's limited to 26. How you treat races where they get rained out half way through the night. You run four races for example, and out of the four races that haven't run, can they use the rain date the next night. This isn't specific about that and I think it ought to be. In other words, what constitutes a rainout? What constitutes a date. Finally, I think one of the opportunities that we have presented for us is a way of enabling both of these communities to increase and run both operations in surrounding modular housing areas and the raceway itself. For example, if they were to try to build additional seating, that it be a requirement in this code the expansion of an existing raceway, that they provide earth berming underneath the seating up to the back of the seating. Naturally, this might be an compromise because it's relatively an economical way to getting sound barriers and building seating. In other words, you'd build a berm up to 14 proceeding on the front of it and build a sound barrier at the top of a berm. Earth berms are the best system I know of for reducing accoustic sound levels. And that would be a very very thick one all the way up to well above 14 to 18 feet which I think is their average seating. Those are the suggestions that have come into the Board that we consider as we try to enforce this. And with those thoughts as future possibilities, I'm willing to get it into law now. Get the mufflers on the cars so that we can go ahead with some test of how it works. So I vote yes."

Councilman Prusinowski, "I'm voting for this resolution. I want to apologize to the people in the neighborhoods because we did this two years ago and I know I read the minutes and I said then when I drafted this thing originally and it took us so long to do something about it. But actually it's been very educational because I'm very disappointed at some of the drivers in this town and I've gotten badgered and criticized and dumped on by a few of my friends who say I'm trying to close the race-track and that's not true. The fact of the matter is in contacting NASCAR and the racetracks around the country, just about everyone is regulated. In fact, NASCAR encourages mufflers and they encourage local co-operation with the community. John, has uncovered something tonight through a little investigation he did. There is racetracks in California in a neighborhood, through mufflers, have worked very wonderfully with the neighborhood. The fact of the matter is there have not been mufflers on these cars since 1981, early 1981 and that's been confirmed. And they were supposed to be and they weren't and we have to live together. I think if the racetrack complies, everybody will be happy and we can enjoy auto racing in town as a sport and as an industry, will survive on Long Island."

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski informs William Kasperovich he will not be recognized until after the resolutions are...

RESOLUTIONS Continued# 589 APPROVES SPECIAL PERMIT OF LOUIS PIZZARELLO

Councilman Lombardi offered the following resolution, which was seconded by Councilman Prusinowski.

WHEREAS, by application dated May 6, 1987, Louis Pizzarello, did apply to this Town Board for a special permit for a change of zone from Residence "C" to Business PB, at premises located at the corner of Roanoke Avenue and Ackerly Street, Riverhead, New York; and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation; and

WHEREAS, by letter dated July 6, 1987, the Planning Board recommended that the special permit be approved; and

WHEREAS, on the 4th day of August, 1987, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a Type II action without significant impact upon the environment; and

WHEREAS, based upon the Town Board's review on the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the special permit applied for will be a Type II action without a significant impact upon the environment pursuant to the State Conservation Environmental Law.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board determines that:

a. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood;

b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

c. The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use;

d. Such use will be in harmony with and promote the general purposes and intent; and be it further

RESOLUTIONS Continued

RESOLVED, that no building permit shall issue until the Town Board has approved the site plan by resolution; and be it further

RESOLVED, that the premises covered by this special permit shall be maintained in conformity with such plan which may from time to time be approved by the Riverhead Town Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., attorney for the applicant, the Riverhead Planning Department and the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#590 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS  
RE: MISCELLANEOUS SCAVENGER WASTE TREATMENT FACILITY IM-  
PROVEMENTS.

(See Scavenger Waste District Minutes)

#591 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO  
BIDDERS RE: RIVERSIDE DRIVE PUMP STATION IMPROVEMENTS.

(See Sewer District Minutes)

RESOLUTIONS Continued# 592 APPROVES SITE PLAN OF LOUIS PIZZARELLO

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, a site plan and elevations were submitted by Louis Pizzarello for the renovation of a residence to offices on the first floor and residence on second floor to be located at the corner of Roanoke Avenue and Ackerly Street, Riverhead, New York; and

WHEREAS, the Planning Department has reviewed the site plan dated February 17, 1987, as prepared by Raynor & Marks, and elevations dated July 11, 1987, as prepared by Kirby Grimes, Architect, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved, and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned, dated February 17, 1987 and July 11, 1987 and submitted by Raynor & Marks and Kirby Grimes, Architect, respectively.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Louis Pizzarello for the renovation of a residence to office space and residence to be located at the corner of Roanoke Avenue and Ackerly Street, Riverhead, New York, site plan dated February 17, 1987, as prepared by Raynor & Marks, and elevations dated July 11, 1987, as prepared by Kirby Grimes, Architect, be and are hereby approved, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property, that all signage so proposed shall be coordinated in appearance and design and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;



RESOLUTIONS Continued

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, be maintained at the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

8. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Louis Pizzarello hereby authorizes the Town of Riverhead to enter premises at the corner of Roanoke Avenue and Ackerly Street, Riverhead, New York, to enforce said handicapped parking regulations;

9. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. A landscape plan and schedule shall be submitted to the Town Board for its approval;

12. The driveway and garage currently located on the property shall be used solely by the second-story occupant and shall be marked accordingly; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., attorney for applicant, the Riverhead Planning Department and the Riverhead Building Department.

RESOLUTIONS ContinuedDECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_\_ day of August, 1987, by Louis Pizzarello, residing at C/o 137 Associates, Inc., 137 Hampton Road, Southampton, New York, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure, prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

RESOLUTIONS Continued

4. Trash receptacles of a decorative design approved by the Planning Department prior to their installation at the site, shall be maintained at the premises;

5. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

7. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. That any and all landscaped areas shall be regularly maintained in a professional manner; and that any planters, planter boxes, window boxes or other container plantings shall be likewise maintained on a year-round basis.

Declarant has hereunto set his hand and seal the day and year above first written.

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LOUIS PIZZARELLO

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On this \_\_\_\_\_ day of August, 1987, before me personally came Louis Pizzarello, the contract/vendee of certain real property located at the corner of Roanoke Avenue and Ackerly Street, Riverhead, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

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NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

RES. NO 594 - AUTHORIZES TOWN EXPENDITURES.

Councilman Lombardi offered the following resolution, which was seconded by Councilman Prusinowski.

RESOLVED, that the Supervisor be, and hereby is, authorized to pay the following:

<u>SENIORS HELPING SENIORS</u> Abstract # 11	vouchers 51-58	totalling \$ 362.68
<u>GENERAL TOWN</u> Abstract # 11	vouchers 6528-6700	totalling \$ 68,309.50
<u>HIGHWAY</u> Abstract # 11	vouchers 434-445	totalling \$ 83,895.79
<u>WATER</u> Abstract # 11	vouchers 209-258	totalling \$ 45,378.87
<u>SEWER</u> Abstract # 11	vouchers 205-213	totalling \$ 1,379.44
<u>TOWN HALL CAPITAL PROJECTS</u> Abstract # 11	vouchers 42-44	totalling \$2,061.53
<u>STREET LIGHTING</u> Abstract # 11	vouchers 176-183	totalling \$914.73
<u>PUBLIC PARKING</u> Abstract # 11	vouchers 152-163	totalling \$3,464.40
<u>DISCRETIONARY</u> Abstract # 11	vouchers 282-290	totalling \$2,202.80
<u>PAL</u> Abstract # 11	voucher 9	totalling \$486.00
<u>SELF INSURANCE (CS)</u> Abstract # 11	voucher 1-5	totalling \$1,308.35

jw

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#595 APPOINTS 90-DAY TEMPORARY EMPLOYEE.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

BE IT RESOLVED, that Virginia I. Bilski, is hereby appointed as a 90-day temporary employee as a Clerk Typist in the Justice Court, to be compensated at teh agreed upon amount according to contract, commencing August 24, 1987.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes.  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#596 APPROVES LEAVE OF ABSENCE OF JAMES DELUCCA AND AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, James V. DeLucca did submit a written request for a six-month leave of absence from his position of Site Plan Reviewer.

NOW, THEREFORE, BE IT

RESOLVED, that the request for a six-month leave of absence of James V. DeLucca be and is hereby approved effective September 7, 1987 and terminating March 7, 1988, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to puboish and post a display Help Wanted Ad with regard to this position in the August 27, 1987 edition of the News Review, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to James V. DeLucca, Raymond Wiwczar and the Office of Accounting.

Councilman Boschetti, "Discussion. Do we have a resignation in front of this petition."

Supervisor Janoski, "We have a request for a leave of absence."

Councilman Boschetti, "Why then, are we advertising for this position?"

Councilman Pike, "It will be empty for six months."

Councilman Boschetti, "So you're looking to hire somebody temporary for six months?"

Supervisor Janoski, "The Board is going to have to answer a number of questions because that position is critical to the operation of the Building Department. And we better get cracking on it soon because he's going to be leaving September 7th. All building permits are issued after a review of plans by Mr. DeLucca. And if

RESOLUTIONS ContinuedSupervisor Janoski, Continued

we don't get moving, we're not going to have anybody in there until November."

Councilman Boschetti, "I agree. But are we looking to hire somebody temporary for a six-month period?"

Supervisor Janoski, "We're going to have to decide whether we want to hire somebody on a contingency basis?"

Councilman Boschetti, "Well, shouldn't that be in the Help Wanted Ad?"

Supervisor Janoski, "The ad has not been written yet. This is just authorization. We don't have a Town Board meeting until September 1st after we're finished tonight."

Councilman Boschetti, "So we have another meeting...."

Supervisor Janoski, "You guys can later on...."

Councilman Boschetti, "Ok. Thank you."

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#597 AUTHORIZES INCREASE AND IMPORVEMENTS OF \$470,000 TO THE RIVERHEAD PARKING DISTRICT NO.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly caused to be prepared a plan and estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Public Parking District No., consisting of the acquisition of land, paving and ancillary drainage, sidewalks, curbs, gutters and landscaping improvements, and the installation of electric lighting therefor; and

RESOLUTIONS Continued

-2-

WHEREAS, pursuant to proceedings previously had and taken pursuant to the provisions of Section 202-b of the Town Law, said Town Board determined it to be in the public interest to increase and improve the facilities of the Riverhead Public Parking District No. 1, in such manner, at an estimated cost of \$830,000; and

WHEREAS, at a meeting of said Town Board duly called and held on July 21, 1987, an order was duly adopted by it and entered in the minutes reciting the improvement proposed and that it would be necessary to expend the sum of \$1,300,000, an increase of \$470,000 over that previously authorized, in order to complete the construction of the aforesaid improvement and specifying that the said Board would meet to consider such increase and improvement of the facilities of the Riverhead Public Parking District No. 1 and to hear all persons interested in the subject thereof concerning the same at the Town Hall, 200 Howell Avenue, in Riverhead, New York, on the 4th day of August, 1987, at 8:20 o'clock P.M., Prevailing Time; and

WHEREAS, the said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in the Riverhead New Review, the official newspaper of this Town, on July 23, 1987, and a copy of such order was posted on July 23, 1987, on the signboard maintained by the Town Clerk of the Town of Riverhead, pursuant to Section 30, subdivision 6 of the Town Law; and

RESOLUTIONS Continued

-3-

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Riverhead Public Parking District No. 1, by the acquisition of land, paving and ancillary drainage, sidewalks, curbs, gutters and landscaping improvements, and the installation of electric lighting therefor, at a maximum estimated cost of \$1,300,000, being an increase of \$470,000 over that previously authorized.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.



RESOLUTIONS Continued

STATE OF NEW YORK     )  
                              )ss:  
COUNTY OF SUFFOLK    )

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on August 4, 1987, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

Riverhead News-Review

January 6, 1987

8/18/87

RESOLUTIONS Continued

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)  
of posted notice

Date of Posting

Town Clerk's Bulletin Board.

January 6, 1987

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on the 4th day of August, 1987.

IRENE J. PENDZICK  
Town Clerk

(SEAL)

#598 AUTHORIZES ISSUANCE OF ADDITIONAL \$470,000 SERIAL BONDS  
RE: RIVERHEAD PUBLIC PARKING DISTRICT NO. 1.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLUTIONS Continued

BOND RESOLUTION DATED AUGUST 4, 1987.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$470,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD PUBLIC PARKING DISTRICT NO. 1.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated August 4, 1987, the Town Board of the Town of Riverhead, Suffolk County, New York, has determined it to be in the public interest to increase and improve the facilities of the Riverhead Public Parking District No. 1 in said Town; and

WHEREAS, such increase and improvement consists of the construction of the acquisition of land, paving and ancillary drainage, sidewalks, curbs, gutters and landscaping improvements, and the installation of electric lighting therefor, at a maximum estimated cost of \$1,300,000, being \$470,000 over that previously authorized; and

WHEREAS, it is now desired to provide for the financing of such additional costs thereof; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying part of the cost of the aforesaid increase and improvement of the facilities of the Riverhead Public Parking District No. 1 of the

RESOLUTIONS Continued

- 2 -

Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, there are hereby authorized to be issued an additional \$470,000 serial bonds of the Town of Riverhead, Suffolk County, New York pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the aggregate maximum estimated cost of the increase and improvement of the facilities of the Riverhead Public Parking District No. 1, in the Town of Riverhead, Suffolk County, New York, consisting of the acquisition of land for parking purposes and the paving thereof together with ancillary drainage, sidewalks, curbs, gutters and landscaping improvements, and the installation of electric lighting therefor, is \$1,300,000, allocated \$ 235,000 to said land acquisition and \$ 235,000 to said paving.

Section 3. The plan for the financing of each of the foregoing respective specific objects or purposes is by the issuance of: \$300,000 serial bonds heretofore authorized by Resolution No. 388 duly adopted by the Town Board of said Town on June 19, 1986 entitled:

"BOND RESOLUTION DATED JUNE 19, 1986 A RESOLUTION AUTHORIZING THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD PUBLIC PARKING DISTRICT NO. 1 OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$830,000 AND AUTHORIZING THE ISSUANCE OF \$830,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.",

RESOLUTIONS Continued

- 3 -

with respect to such land acquisition, and the \$500,000 serial bonds heretofore authorized by said bond resolution dated June 19, 1986 with respect to said repaving; and \$ 235,000 of the additional \$470,000 serial bonds herein authorized with respect to said land acquisition and \$ 235,000 of the additional \$470,000 serial bonds herein authorized with respect to said paving. Further details pertaining to said bonds will be prescribed in a further resolution or resolutions of this Town Board.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes are thirty years and ten years, respectively, pursuant to subdivisions 21 and 20(f), respectively, of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years..

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents,

RESOLUTIONS Continued

- 4 -

and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

RESOLUTIONS Continued

- 5 -

Section 8. This resolution which takes effect immediately shall be published in full in the Riverhead News-Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes,  
Lombardi, yes, Janoski, yes.  
The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

STATE OF NEW YORK       )  
                              )ss:  
COUNTY OF SUFFOLK       )

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on August 4, 1987, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

Riverhead News-Review

January 6, 1987



RESOLUTIONS Continued

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)  
of posted notice

Date of Posting

Town Clerk's Bulletin Board

January 6, 1987

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on the 4th day of August, 1987.

\_\_\_\_\_  
Irene J. Pendzick, Town Clerk

#599. ADOPTS CAPITOL IMPROVEMENT BUDGET FOR FIRST STREET  
PUBLIC PARKING DISTRICT

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti.

RESOLVED, that a capitol improvement budget for the First Street Public Parking District be and is hereby adopted as follows:

Cost of Construction as awarded	\$ 569,221.25
Land aquisition per appraisal	479,702.00
Engineering, Legal, appraiser	100,000.00
Contingency	151,076.75
TOTAL	\$1,300,000.00

and be it further;

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Accounting Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "I do want to point out on the Jim DeLucca thing that there is an existing civil service list but I just want to make sure that we're ready for it in the contingency. Mr. Kasperovich."

William Kasperovich, "I'll make this short. On your raceway, I understand many years ago in Connecticut where they have overcome some of these things by having exhibitions, not competitions. Also, we have experienced here is that fellows developing their cars are not in competition but they make arrangements to use the track. Whatever they do to engine or body or what have you, they use the track to develop their vehicle. And that and the fact that not being in competition, is not described in definition. If they have an exhibition, they can get the drivers. And I think that is worth mentioning."

Supervisor Janoski, "There is nothing that we can do right now to significantly....."

William Kasperovich, "Whatever you do in the future....."

TAPE ENDED

William Kasperovich, "I remember this one particular Connecticut affair where they were not in competition. They were having an exhibition and they didn't set records and nobody was called a winner; in order to say that it is an exhibition. The money got into the right pocket."

Supervisor Janoski, "Thank you Bill. Steve did you..."

Steve Haizlip, "I would like to inquire of my August 4th complaint about this road that the proper people of Suffolk County Highway Public Works and the State residents, Superintendent of the bumps. Now, since I brought this issue up, not just August the 4th. I brought it up prior and I've had people (of course) they come in a curious way and they look at me but that bump is still there. Nobody has taken it away yet. So I want to renew my complaint that the bumps are there. Now, you five gentlemen are elected to represent and take care of us in this town. I can't be running to those in the State and I can't be running over to the County and so forth. It's up to whoever you designate as a committeeman or committee leader or chairman to look after this. Now, as of today, I read in Newsday where farmers are going to be allowed a lower assessment on tax. Well, everybody is after lower taxes and want lower taxes but did the State come through this town to promote votes and so forth but don't give any money to us? Alright. Now, this brings me up to a subject that I read in Penny-saver Saturday. Now, I want to see what you know about this, Joe and what is going on. Pennysaver is accusing Mr. Willmont of (I don't know how to phrase this.) extorting the County into renting space. And Pennysaver is accusing Mr. Willmont of doing wrong or something but there's one thing that they brought up in that paper that does intrigue me and does worry me. Where would Mr. Willmont get a reduction in realty tax for this thing? Now, as I remember, I was present when that hearing went on and I think I spoke and I asked about this exempt taxes. And if I'm not mistaken, wasn't

PERSONAL APPEARANCES ContinuedSteve Haizlip, Continued

there exempt taxes allowed to be on these IDA bonds?" Look, I'm paying enough and I'm helping out and you're getting the same salary every year. The highway gets the same allotment and these people get reductions and you're making me go down deeper and my savings is getting low."

Supervisor Janoski, "The IDA financing is income tax exempt, the bonds, the money. And the investment bonds realizes the tax exemption on that. The person who loans, Mr. Willmont in this case, the money, so that on the interest he received, that interest is not taxable by the Federal or State government. Now, the facility itself, the building, as an inducement to bring that operation to make the improvements to the building which was vacant for nine years, the IDA does offer property tax exemption. And in this case, it is in effect. The fact of the matter is, that the IDA owns that building. The IDA owns the building until the loan is paid off which is six years to go. But the taxes, the property taxes, are coming into place on that building at a steady rate which each subsequent year which is 10% a year. It is a very basic operating procedure of IDA offered as an inducement to get a particular business into the area. Other towns do it, other areas in other states do it. The Willmont operation is located in Westhampton and through these offers, we got them to purchase a building and refurbish it here in Riverhead which was quite honestly, a white elephant. They've got about 150, 175 employees now working in town. Not all of them are from Riverhead, but certainly they're out there contributing to the economy. So on balance is a plus for the town. Now, the dispute between Pennysaver and Suffolk Life, I have no idea."

Steve Haizlip, "No. I just brought that up as an add lib. I'm just talking about the realty tax. So I know Vic works there and Jeff works there and I don't want anybody to think anymore or any less. It's just that I want to ask this question and I'm getting the answer. So it's progressively going up. Very good."

Supervisor Janoski, "Yes it is. In six years it will be back up to 100% property taxes. That's the inducement to bring the particular business in."

Steve Haizlip, "Alright. On August the 4th when they had that raceway meeting, I want to comment that I noticed that a lot of security was here. Well, I don't know about anything we require or not because we got good people in this town and they listen and they express their opinions as to what they think and so forth and nobody gets so emotional about it or come down to fist fights and so forth. And I express my views, Joe expresses his view and that is it and nobody jumps you out in the hall later. So far it hasn't happened. So we've got a good lot of people here."

Supervisor Janoski, "I think you're right Steve. But sometimes taking a precaution is worth it and it may have been the presence of the security that made the hearing go so smoothly and that's something we can only guess at."

PERSONAL APPEARANCES Continued

Steve Haizlip, "Pro and con. Alright."

Supervisor Janoski, "But if I needed them, I would have liked to have had them."

Steve Haizlip, "Like I said, pro and con. Now, my brother in-law (Mr. Jermusyk) lives below me. He has asked me to speak up for him tonight at the meeting. And I think he's already been in touch with Mr. Bloss but I don't believe that Mr. Bloss and Mr. Jermusyk is seeing eye to eye and I think I have to agree with Mr. Jermusyk. Now since we have a highway committeeman here, I believe John or Vic is in it. Now, his complaint is coming from the south heading north, there's a curve and there is no sign like; curve and no passing. His main complaint is that he don't want no passing. Because he's seeing that they go out and they come around and they're going over the double yellow line. He did get the line freshly painted so people could see that there was a double line there. That was one of the things we got a hold of Mr. Bloss about. If Mr. Bloss was here, I'd talk to him but he isn't here. So I've got to leave it with you people. He want's no passing, curve, no passing and that's what he's after. Especially to the north. Now, the last and final item, I'm just kind of curious as to how a police notary stamp can cost \$600. I thought it was made of rubber and an ink pad and you just had a piece of paper. Any explanation on that."

Irene Pendzick, "There's more than one policeman with a notary stamp. It's not one notary stamp."

Steve Haizlip, "I'm sorry. The way I understood it to be read is a notary stamp. Alright. That explains that."

Supervisor Janoski, "Thank you Steve. Betty."

Betty Brown, "I just wanted to ask regarding the draft for the planner position. Might I direct that toward Rob? You directed your concerns and made issue to the fact that much of that planner draft came from Nantauket and placed great importance on it not being legal perhaps in New York. I question you why you would have such objections and raise such issue when you based your farmland plan on...."

Councilman Pike, "I don't. Let's start with the preface that that's entirely inaccurate. I'm quite happy referring one of the best Planning Department job descriptions in the United States to the Planning Department. I'm extremely happy with that. My concern is that whatever they do does have to comply with civil service and they ought to be aware of what the categories are. I would be very very happy if the Planning Board would take the best ideas out of all of that and describe the ultimate planner and I'm not degrading what's going on in Nantauket. In fact, I can think of few communities that are as well planned as that."

Betty Brown, "Well, you could make mention that it's the responsibility when you took oath and your legal responsibilities and I know the farmland plan is based on success in other states."

PERSONAL APPEARANCES Continued

Councilman Pike, "Exactly."

Supervisor Janoski, "First of all, you're supposed to ask questions of me and then I usually.... Let me say that civil service government, most everyone that we hire in this town. There a couple of exempt positions. And simply, it's a forwarding of information to the Planning Board so they will be aware of what the job descriptions are. That's all it is. In fact, I gave the Board a packet about this big about every type of planning positions that we have a listing of along with some other ones. It's just additional information. I don't understand why the debate broke up but we had it and perhaps we can discuss it later on this evening when we all go down and have a soda."

Councilman Pike, "I wouldn't mind continuing this if she hasn't really resolved the question."

Betty Brown, "It's just that you did raise this issue and I didn't think there was very much importance to be placed on that particular issue and I wanted a description if there was one. If it didn't mean anything, perhaps it shouldn't have been said. Thank you."

Supervisor Janoski, "Thank you."

Councilman Pike, "Let me just say one final thing on this. I know you want to go home Joe. I just want to reiterate something and I hope it gets to the Planning Board. And if necessary, I will call Miles. This has got to be the most important new job position in the Town of Riverhead and we have here the ability to canvas throughout the country to see what sorts of jobs are working there. And it has occurred to me over the last couple of years, that civil service is often a guarantee of confidence but not excellence. And it's conceivable, to me, that the kind of person that we would want wouldn't fit into civil service. So that we would be basically writing a new type of position. I would be very very happy if that is what it takes to get us that, that we do that. I was quite happy having input from Mr. Goldman who forwarded to me the Nantauket description. I'm quite happy to have it in a resolution. I would have tried to take it out if I wasn't happy with it. I didn't. I'm simply concerned that we not delay the implementation of hiring the guy who can have the Planning Department. (Or lady.) I don't want to delay the hiring of that person because we're not complying with civil service. I want to know soon and quickly and accurately whether or not the person we want can fit into any of the civil service planning requirements. And if they can't, to go ahead and hire that person through the other procedure. Without having the range of alternatives before you, it's kind of hard to make that determination. That's simply why I asked for it."

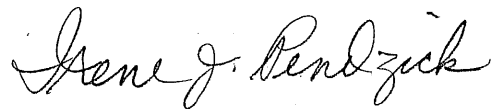
Supervisor Janoski, "Can I go home now?"

Councilman Pike, "As far as I'm concerned."

BU  
Supervisor Janoski, "Without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 10:21 p.m.

IJP:nm



Irene J. Pendzick  
Town Clerk